



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

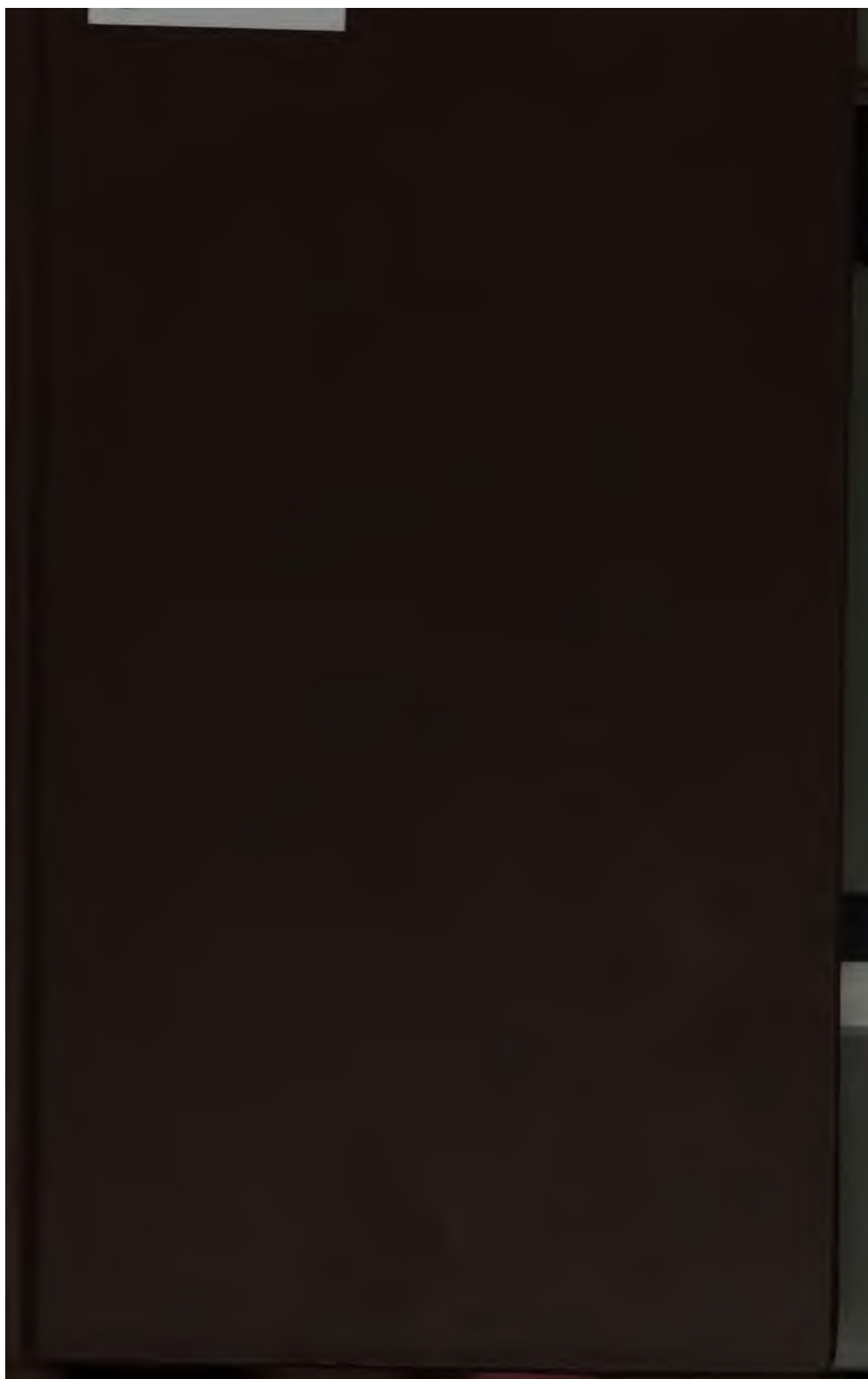
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>





THE
Parliamentary Register;

OR,

H I S T O R Y

OF THE

PROCEEDINGS AND DEBATES

OF THE

HOUSE OF LORDS;

CONTAINING AN ACCOUNT OF

The most interesting **SPEECHES, MOTIONS,**

PROTESTS, PETITIONS, &c.

DURING THE

SIXTH SESSION of the FOURTEENTH PARLIAMENT

OF

G R E A T B R I T A I N:

**Begun to be holden at Westminster on the 29th Day of November,
1774, and dissolved on the first Day of September, 1780:**

IN SEVENTEEN VOLUMES.

V O L. XIV.

L O N D O N:

**Reprinted for JOHN STOCKDALE, PICCADILLY;
J. WALKER, R. LEA, & J. NUNN.**

M,DCCC,II.

J
301
H23
cop.2
v.14

*Given
Under the Great
Seal
10. 21. 79*

THE
H I S T O R Y

OF THE
PROCEEDINGS and DEBATES
Of the SIXTH SESSION of the
HOUSE OF LORDS

OF THE
Fourteenth Parliament of *Great-Britain*;

Appointed to be held at *Westminster*, on *Thursday*, the 25th Day
of *November*, 1779.

THE King came to the House of Lords, and having sent
for the Commons, opened the session with the follow-
ing Speech:

" My Lords and Gentlemen,

" I meet you in Parliament at a time when we are called
upon by every principle of duty, and every consideration of
interest, to exert our united efforts in the support and defence
of our country, attacked by an unjust and unprovoked war,
and contending with one of the most dangerous confederacies
that ever was formed against the Crown and people of Great
Britain.

" The designs and attempts of our enemies to invade
this kingdom, have, by the blessing of Providence, been
hitherto frustrated and disappointed. They still menace us
with great armaments and preparations; but we are, I trust,
on our part, well prepared to meet every attack, and repel
every insult. I know the character of my brave people:
the menaces of their enemies, and the approach of danger,

VOL XIV.

B

have

have no other effect on their minds, but to animate their courage, and to call forth that national spirit, which has so often checked and defeated the projects of ambition and injustice, and enabled the British fleets and armies to protect their own country, to vindicate their own rights, and at the same time to uphold and preserve the liberties of Europe, from the restless and encroaching power of the House of Bourbon.

“ In the midst of my care and solicitude for the safety and welfare of this country, I have not been inattentive to the state of my loyal and faithful kingdom of Ireland. I have, in consequence of your addresses presented to me in the last session, ordered such papers to be collected and laid before you, as may assist your deliberations, on this important business; and I recommend it to you to consider what further benefits and advantages may be extended to that kingdom, by such regulations and such methods, as may most effectually promote the common strength, wealth, and interests of all my dominions.

“ Gentlemen of the House of Commons,

“ The proper estimates shall, in due time, be laid before you. I see, with extreme concern, that the necessary establishments of my naval and military forces, and the various services and operations of the ensuing year, must inevitably be attended with great and heavy expences; but I rely on your wisdom and public spirit for such supplies, as the circumstances and exigencies of our affairs shall be found to require.

“ My Lords and Gentlemen,

“ I have great satisfaction in renewing the assurances of my entire approbation of the good conduct and discipline of the militia, and of their steady perseverance in their duty; and I return my cordial thanks to all ranks of my loyal subjects who have stood forth in this arduous conjuncture, and by their zeal, their influence, and their personal service, have given confidence as well as strength to the national defence. Trusting in the Divine Providence, and in the justice of my cause, I am firmly resolved to prosecute the war with vigour, and to make every exertion, in order to compel our enemies to listen to equitable terms of peace and accommodation.”

Earl

Earl of *Chesterfield* rose, and after observing on the professed intention of the speech, which was to stimulate Parliament, and through them the nation at large, to the most vigorous exertions, both in their collective, constituent, and individual capacity, observed, that there never was a period in this country, when such exertions were more necessary. The motive assigned in the speech for endeavouring to rouse the people, was as true in fact as threatening and alarming in its possible consequences. The speech stated, that we were now contending with one of the most dangerous confederacies that ever was formed against the Crown and People of Great Britain: was there a noble Lord present, who doubted of the fact, or that the ultimate object of the confederates was not to dismember the British Empire, and establish a naval Empire on the overthrow of its naval power?

His Lordship adverted to the several leading topics, treated of in the speech: such as his Majesty's approbation of the conduct and discipline of the militia, and their steady perseverance in their duty, and the zeal and ardour expressed by all ranks of people, in contributing to put the nation into a respectable state of defence. He instanced in particular, the uncommon zeal and activity of several noblemen and gentlemen, who stood forward in the arduous moment of national danger, and took the liberty, he said, to congratulate the nation, on the success of their spirited and truly patriotic endeavours. He observed, that towards the close of the last session a proposition had been made for augmenting the militia; their Lordships thought fit to alter the mode of augmenting the national force, though they approved of the principle; they gave the preference to additional and volunteer corps and companies, in consequence of which, several noblemen and gentlemen had exerted a most laudable and commendable zeal, in pursuing the spirit of that law; but while he gave this testimony in favour of those individuals who had stood forth on this occasion, he could not help expressing his entire satisfaction, of those noblemen and gentlemen first alluded to, who had raised regiments for the service of the state, and of course a species of force, much more suited to our present exigencies; because, it could be employed out of the kingdom, as well as within it, and in the defence of our distant dependencies. The militia were confined to the defence of the kingdom alone; whereas the new levies might be employed as well in offen-

five as defensive operations. He added on the latter point, that in the space of a few months, nine thousand men had been embodied, disciplined, and instructed in the use of arms; and that the whole of the offers made to the Crown, since the close of the last session, which was upwards of 14,000 men, would be fully completed soon after the commencement of the ensuing year.

His Lordship took notice of that part of his Majesty's speech, relative to giving relief to his loyal and faithful subjects of Ireland; said he made no doubt but that country would receive every indulgence which its deserts, and the wisdom of his Majesty's councils, might think safe or expedient, such a species of relief as would secure it the unanimous support of his subjects of both kingdoms, because founded in mutual benefit and advantage.

His Lordship touched lightly on some other passages in the speech, and sat down with pressing unanimity on every side of the House, as the only possible means of averting the dangers and imminent perils, which surrounded us on every side. A full and unreserved union, at least so far as it was connected with our public conduct and proceedings, was become absolutely necessary: he exhorted noble Lords therefore to reflect, that a want of that basis of national strength, was the only matter which inspired our enemies with confidence and hopes of success. A difference of opinion delivered on subjects of national importance, diffused in that House, could not be concealed; they would soon make their way out of that House, and swiftly be conveyed to our enemies. This circumstance he wished to bring forcibly to the consideration of such noble Lords as might not approve of the address in all its parts; and that for two reasons: because, it would in fact be telling the House of Bourbon, that we still continued a divided people, and if the usual matters introduced into such discussions, viz. pointing out where we were most vulnerable, either at home or elsewhere, it might probably be productive of that mischief, and those ill consequences, which such warnings and admonitions might apparently be intended to prevent.

His Lordship moved that the following address be presented to his Majesty.

The humble Address of the Right Honourable the Lords Spiritual and Temporal, in Parliament assembled.

" Most Gracious Sovereign,

" We, your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg

beg leave to return your Majesty our humble thanks for your most gracious speech from the throne.

"The just sense we have of the blessings under your Majesty's government, and the indignation we feel at the unprovoked and unwarrantable aggression of our enemies, who seek to deprive us of those blessings, and threaten your Majesty's kingdoms with invasion, will continue to animate our resolutions, and redouble our efforts in the national defence. We trust that those efforts, seconded by the zeal of a faithful and loyal people, will, under the providence of God, be fully sufficient to repel every attack, to frustrate the hopes, and defeat the designs of any confederacy that may be formed against your Majesty's crown and dominions.

"In such a crisis the approach of danger can serve only to call forth that national spirit which always rises with the occasion that demands it, but never displayed itself in a more important conjuncture, though it so often protected the liberties of these kingdoms, and of Europe in general, and has enabled the British fleets and armies to withstand and defeat the designs of that restless ambition which has so frequently disturbed the peace and invaded the rights of mankind.

"We are deeply sensible of your Majesty's paternal goodness, which does not confine itself to one part of your dominions, but is anxious for the prosperity of the whole, and, in the midst of your care and solicitude for the safety and welfare of this country, has led your attention to the state of your loyal and faithful kingdom of Ireland. Guided by the same sentiments which prompted the humble address we presented to your Majesty the last session, we will continue our attention to those important objects your Majesty's wisdom recommends, and after deliberately weighing the whole, will consider what further benefits may be extended to that kingdom, by such regulations, and such methods, as may most effectually promote the common strength, wealth, and interests of all your Majesty's dominions.

"Your Majesty's approbation of the good conduct and discipline of the militia, and of their steady perseverance in their duty, and the satisfaction your Majesty expresses in the conduct of your loyal subjects of all ranks, who have stood forth in this arduous conjuncture, must redouble that zeal, extend that influence, and increase those personal exertions, which have given confidence as well as strength to the national defence.

"We see, with great satisfaction, that your Majesty, trusting in the Divine Providence, and in the justice of your cause, is firmly resolved to prosecute the war with vigour, and to make every exertion in order to compel our enemies to listen to equitable terms of peace and accommodation. Such spirited and vigorous measures must be conducive to so desirable an end; and we humbly beg leave to assure your Majesty, that they will meet with our most hearty concurrence and firmest support."

Lord *Grantham* rose and said, he most cheerfully coincided with the address moved by the noble Earl who had just sat down. He was not sufficiently versed in the forms of the House to determine whether it was necessary to say he rose to second it; if it was, he was ready to comply with the customary forms. He did second it, and as he had, he would beg their Lordships indulgence for a few minutes, to assign his reasons.

The address stated a fact, and a most notorious and tremendous fact, known to all Europe, as well as in that House, that the House of Bourbon, on the basis of the family compact, had entered into a confederacy for the raising and establishing of their own natural greatness and superiority on that of Great Britain.

He had for many years been absent from this country, and therefore could not pretend to determine or give decided opinions on the various and successive causes which led this kingdom into its present deplorable situation: this, however, he could say, that it was the very reverse of what he found it on his return; when he left it, it was feared and respected abroad; every part of the empire and its dependencies were in a state of tranquillity; the House of Bourbon had been humbled, and the family compact ostensibly dissolved; or if not really so, effectually dissolved; because it could not be effectually, or indeed at all, attempted to be carried into execution, without renewing the disgraces and bad consequences which it had drawn after it on its first formation.

But though he could not pretend to decide on the operative causes which led to our present situation at home, he thought it in some degree incumbent on him to speak to facts, which came directly within his own knowledge.

He would first premise that Spain had acted a most ungenerous and unprovoked part, and from motives clearly originating

minating in a very impolitic as well as perfidious spirit of ambition.

When he entered on his embassy, he found, as he observed before, the family compact efficiently dissolved, and that accompanied by the most warm and confidential assurances, not only of good will and good faith on their part, but of real friendship. This was the disposition in which he met the court of Madrid; this was the spirit which manifested itself throughout their whole conduct. No alteration of temper; no change of conduct; if even a suspicion of doubt suggested itself, it was instantly done away or proved to be unfounded; in short, by what he had ever read or ever heard, it was impossible that there could a more cordial confidence and good will subsist between powers in actual alliance, till a very short time before the masque was thrown off. It was not only that their assurances were founded in apparent friendship, but they even confirmed and strengthened them, by demonstrating that the interests of Spain were cemented with their favourable dispositions towards the court of London, both in respect of our disputes with our own revolted subjects, and with that of Versailles. On these assurances, the only comment he was now permitted to make, was merely this, that Spain had acted a most base, delusive, and perfidious part from the beginning, or had such temptations held out to her by France, as seduced her, and prevailed upon her, under the most shameful and ill-founded pretences, to fly from her repeated and solemn assurances and engagements.

After having made some other observations of less consequence on the conduct of Spain, he applied the general reasonings and facts to the recommendations conveyed in the speech, for adopting the most vigorous measures, and making the most spirited exertions against the united efforts of the House of Bourbon. He could speak with confidence from secret information, that the family compact was, at the instant he was speaking, in full vigour. He could say more, that it was indissoluble, if not annihilated, by the hand of power, by a resolute and vigorous resistance on our part. The object was the dismemberment of the British empire, which included in it the overthrow, the annihilation of our naval power! In that single point of view, the address, which, in fact, imported an exhortation to preserve the state and every thing derivable from natural preservation, ought, and he hoped would meet with their Lordships unanimous concurrence.

He did not mean to engage for more, nor pledge himself to the support of measures farther than as they might, in his opinion, tend in a greater or less degree to promote the great object held out in the address, the defence and security of the British empire. He was a free man, and would continue so, resolving to act an independent part, to retain the right of approving or condemning measures, as they might arise or be proposed. He was not in this country when the revolt broke out in America; consequently he was, in a great measure, incompetent in his present state of information, to say a syllable on the subject, or bind himself to any opinion; when it properly came before him he would act to the best of his judgment; he was pretty nearly in the same state of uncertainty and indecision respecting Ireland; but as that country, which had been famed for her loyalty and obedience, her reverence and regard for Great Britain for nearly a century, came recommended so strongly in the speech from the throne, he hoped their Lordships would indulge him with a few words. He said, Ireland was the only surviving child of Great Britain; that she was almost on the point of expiring, and ought to be cherished and taken to our bosom, there by our friendly and kindly embraces and support, to be reanimated and restored to her pristine health and vigour. She was our sister, and ought to be treated with the tenderness and affection applicable to her weak and infant state. She was a tree, whose branches might be extended, and would afford shelter in the storms of adversity, if any such should happen; if so, surely it would be foolish and cruel, as well as ungrateful and unkind, to lay the axe to the root of that tree, which, when it should fall, would involve us in one common fate, the ruin and destruction of both kingdoms.

His Lordship asserted once more his senatorial freedom and independence, and concluded with declaring his hearty concurrence in the address moved, because he was perfectly convinced, that the vigorous measures which it went to approve, were the only possible means of defeating the perfidious and ambitious views of the House of Bourbon.

The Marquis of *Rockingham* observed, that the address was of such a nature, and excited such a variety of ideas in him, that he was at a loss which of them he should select, and at the same time was totally unequal to reduce them into any form or method. This being the case, he should make no apology for not adhering to arrangement, being resolved to speak to the question, as the matter spontaneously arose in his own mind. His speech would be a desultory speech; but it would
be

be so framed as to give every noble Lord in administration an opportunity of replying to that part of it which might, in his opinion, appear to affect his particular conduct as a minister.

His Lordship took notice of some matters which had fallen from the noble Lord who spoke last. The noble Lord had condemned the conduct of the court of Madrid in very warm terms, for their violation of public faith, for the breach of repeated assurances; in short, for either their premeditated treachery, or their sudden departure from their original intentions. The noble Lord had said farther, that he had a full confidence in those repeated assurances, and had no reason to doubt or suspect them, till the mask was suddenly pulled aside. He did not pretend to controvert the fact, or censure the political judgment of the noble Lord; but this he must say, that notwithstanding the noble Lord affected to be entirely a stranger to what was passing in Great Britain, and the other parts of the British empire; the people of Great Britain, several noble Lords at that side of the House, and many persons out of it, were not total strangers to what was passing in Spain; they knew that formidable naval preparations were going on in the Spanish ports; that the docks were full of artificers, and their arsenals of naval stores; they foresaw, and frequently predicted, what has since happened; they imagined, and justly too, that such preparations must have had something more in view than the preservation of a respectable neutrality, and the mere protection of their trade and commerce; they could never be persuaded to balance mere assurances against such unequivocal proofs of apparent intentions of hostility; nor suppose that Spain, who had so many concealed claims at her heart, could forego the only opportunity she would, perhaps, ever have of asserting them with a fair prospect of success.

But waving all farther animadversion on this subject for the present, he wished to say a word or two, to shew the application of the conduct of the noble Lord, and that of a noble Viscount [Storment] lately come into office, and who, for aught he knew, was still ambassador, or retained the emoluments of his office.—That noble Lord, when questioned as to his information respecting the treaty concluded between the court of Versailles and the deputies at that court from the confederated States of America, very openly asserted, that he had given from time to time, the most early information to his Majesty's servants, relative to the whole progress of that business, from its earliest commencement to its final comple-

tion.

tion. Before this explanation was given, and the noble Viscount arrived, another noble Viscount [Weymouth] not now in his place, and then in a high responsible situation, positively denied, that any account of such a treaty, either in embryo or existence, had been ever communicated to him. When, however, the noble Viscount, now in high office, [Stormont] had stated the fact, the noble Lord, now absent, said, he really received the information as had been stated, but did not believe it; mind then, said the Marquis, the conduct of administration, as to the general principle of belief or credibility; the noble Lord who seconded the address, sent home information, which from every ground of common policy, or common sense, ought not to be credited, and was believed; on the other hand, the noble Viscount, with equal appearances in his favour, farther strengthened and corroborated by actual information, could gain no credit. Such was the uniformity of conduct, and the unanimity of opinion that prevailed in the British councils at both periods.

His Lordship then proceeded to comment on this versatile contradictory conduct, which directed the British councils, with its real cause, the ill advisers and evil counsellors who surrounded the throne. He observed, that the first paragraph in the address recognized the blessings of his Majesty's government. Was that recognition founded in truth? Was it not an insult to that House, when applied to his Majesty's ministers? Was there a noble Lord in that House, of any description, who could lay his hand on his heart, and fairly congratulate his Majesty, on the blessings enjoyed under his government? It was impossible, no bias, no prejudice, no temptation, could so far confound truth and reason, with their opposites, as to convert the very cause of our misfortunes into blessings. A vote might be procured, expressive of such an approbation, but even a vote could go no farther; it could not sew up the eyes of mankind, who would on such occasions as these, see things as they were, not as they were represented by the very persons whose power, and perhaps personal preservation, depended upon such a gross species of delusion and imposition.

It was on this account therefore, that he found himself under the necessity to move the amendment, which he meant to propose, to leave out the whole of the address but the title; for he could never consent to acknowledge the blessings of government, in the very teeth of facts, from any motive whatever; particularly, when it substantially meant no more than a fulsome self-made compliment to the very men who had dragged

dragged the people to the very brink of destruction ; and now as the last effort of their malice or their folly, were going to precipitate the nation into it, and bury them in ruin. There was a time, indeed, at which he could have congratulated his Majesty on the blessings enjoyed under his government. He remembered, when his Majesty ascended the throne of his ancestors with glory and lustre. He remembered, the continuation of the blessings of that government, which came free and unpolluted into his hands ; but for the last seventeen years, he was sorry to be obliged to affirm, that those blessings had been on the decrease gradually, and the nation was at length reduced to a state, which it never before experienced, at any former period.

This was owing to a baleful and pernicious system ; it was the natural effect of causes, not perhaps entirely removed from the public eye ; but then it was an effect foreseen and predicted, which he ever had, and always would, do all in his power to defeat. The cause originated in unconstitutional controul and advice ; the consequences were easily deducible ; and the event such as might be reasonably expected.—There must be new counsels and new counsellors ; the Sovereign must give his confidence to those he apparently trusted, otherwise it is delusory to expect, that even new counsels or counsellors can succeed. The system must be done away : expedients may render things possibly worse, but they can never render them better.

His Lordship next entered into a detail relative to the executive and subordinate part of government. As the system was wrong in its first concoction, so its effects were correspondent ; it extended its influence and pervaded every department of government, from the highest almost to the lowest ; it extended its influence to our officers, civil and military, particularly to those in high command.—The greatest were driven from the service in the moment of difficulty and danger ; the state was robbed of its best and surest defence. The great naval commanders were driven from the service ; there were three or four proscribed, and the military commanders were treated in the same manner. General Gage, and several others, whose names he should forbear to mention, felt the pernicious effects of this system. But, as in the pressing moment of danger, our navy was our chief bulwark, he should be ashamed to sit in the face of the nation unconcerned and unmoved, like the noble Earl over the way [Sandwich] while conscious, that his continuing in office, precluded
several

several naval officers, of the first character and abilities in the service, from standing forth in the defence of their country.

From this pointed attack on the first Lord of the Admiralty, his Lordship proceeded to give proofs of the total personal incapacity of the noble Lord at the head of the Admiralty, particularly in relation to the state of the town and port of Hull; the capture of Captain Pearson of the *Serapis*, and the conduct of Paul Jones. On these several points, his Lordship was very circumstantial; but the purport of what he said was, that the town of Hull had a perfect confidence in the assurances of administration; that the *Serapis* and the Scarborough armed ship, were fully adequate to the defeat and capture of Jones; and that if they were not, as it afterwards appeared, they must trust to fate, and fate alone. When he first heard, that Paul Jones was on the coast, he repaired to Hull, and there found, it is true, no internal security or defence, but a most perfect reliance on the strength of Captain Pearson, and a general prevalent joy in the corporation and inhabitants, that the first news they should hear, would be an account of the capture of Jones, and his squadron.—Jones being at the mouth of the Humber, might have run up in one tide, so as to be in a situation to destroy the town in a few hours, and lay it in ashes; but that made no impression on the people of Hull. A few hours, however changed the scene; for in the midst of this ideal security, the next account was, that Captain Pearson was captured, and that the townsmen must of course, with the assistance of the militia, be compelled to defend themselves.

On this sudden change of situation, he immediately endeavoured to learn the real state of defence the town was in; and in the course of that very curious, though melancholy enquiry, the several following particulars came to his knowledge; first, that there was not a single gun mounted in the town, and that the few that were, if any, fit for service, had not a single carriage. It was true, that the county of York afforded timber and materials for gun carriages; but what of that? though the carriages were made, it seems the county of York was found destitute of smiths; for after the carriages were constructed, they were sent to London to be completed; *id est*, to be finished with iron-work; and in that state, without ammunition, without carriages, without guns, and expecting every moment a visit from Paul Jones, who, as he observed before, could run up to the town with one tide, and down the next, he found himself in this dilemma, either to suffer

suffer the town to fall a prey to this enterprising free-booter, or to stretch his authority a little beyond its natural tone, by taking twenty guns from on board a vessel in the harbour. — These, after many obstacles thrown in the way, and with much reluctance on the part of those who possessed them, were at length procured, and the town of Hull was put into the best posture of defence, in case Jones had returned, that the exigency of affairs would admit.

His Lordship embraced a variety of subordinate objects, and particularly spoke to the affairs of Ireland. He reminded the House, of the part he took towards the conclusion of the last session, relative to the situation of that kingdom; entered into a narrative of every thing which happened on that occasion, and observed with some degree of severity, on what passed, particularly on the part taken by the noble Earl, who lately presided at the council table [Lord Gower.] He begged to call to their Lordships recollection, that on that occasion, when his proposed address stated the real situation of that country, at the time, wherein he confessed there were two passages which conveyed a kind of censure upon ministers, and the injuries which called for relief, the noble Earl rose, and said, he was willing to agree with him, that Ireland wanted and deserved relief; but that it was neither proved, nor was the fact so, that the neglect of ministers, nor the government of this country, was the cause of the grievance; but that, if those exceptionable parts of the address were expunged or omitted, he was very ready to concur in a general address to the Throne, for giving relief to Ireland. Though against his own judgment, but with the advice of some of his friends, at least in compliance with their sentiments, he did acquiesce, and accepted with reluctance of the amendment. The consequence of this was; that an address upon a general ground was presented to the Crown, with a promise, that something would be done to forward the business before Parliament rose. Parliament sat afterwards for seven weeks; yet no one apparent step was taken in this business; the people of Ireland were left in suspense, the associators were permitted to grow into consequence, and what would have been then accepted as a favour, by the neglect or inattention of ministers, was now demanded as a right, not to be given up, modified, or qualified.

After

of course no offensive operations were thought of, much less attempted; yet the poor seamen, who had been put on shore for the restoration of their health, and were willing to return aboard ship, were not permitted to do so; yet in this miserable situation, whether the men wished to be put on board, that were on shore, for the restoration of their health, or on shore, for the same purpose, they were fired upon, and made prisoners frequently, though the persons thus trampling on the laws of arms and humanity, were within the power and reach of the guns of the ships of war, to which the sick, &c. belonged.

His Lordship next spoke of the moderation and clemency of the King's troops, under Sir Henry Clinton, in their march through the Jerseys.—His Lordship then went a little out of his way, to pass an oblique censure upon the proclamation of General Burgoyne, who insisted, at the risque of military execution or martial law, that the inhabitants (the male we suppose) should be spectators, and not quit their dwellings; that gentleman was not censured, that he ever heard; yet in the march across the Jerseys already alluded to, the inhabitants deserted their habitations, the country and cattle were driven, and he never heard, that the inhabitants, women or children, had suffered in their persons, or their property; and add to these declarations and distresses, that when the troops were worn down and actually dying with fatigue, the heat of the sun, and want of water, they found the wells cut off, in order that the soldiers should fall a victim to the excessive heat of the climate. What was the consequence of these unprecedented provocations? nothing but forbearance; no cruelties, no wanton or provoked retaliation.

His Lordship then drew a line between America, contending for what she imagined to be her real rights, and America allied with France. Were the two cases alike? or could America reasonably expect, that when she had rejected all offers, however equitable, reasonable, and conducive to the real interests of both countries, she had a right to the same lenient treatment? By no means. If the raw materials of America, were the return she was to make, for the aid and succour which France was to give her, to enable her to resist the constitutional claims, and reject the equitable offers held out to her, and all the other advantages which might be derived from such an intimate
intercourse

intercourse between the two nations, he was not backward to avow, that he thought it the duty, and the first duty of the commissioners, armed with delegated powers for the purpose, to prevent, and if that could not be effected, to defeat and render of as little effect as possible, every advantage or convenience which might promise to be derived from so pernicious and unnatural a confederacy.

His Lordship endeavoured to defend the terms in which the manifesto or proclamation had been drawn up. Whatever impression it might have made on some minds, all he could say, was, that it was well intended. It was not meant to encourage massacre or cruelty; it was solely framed to prevent both: but whatever effects it may have produced, this he could say, that he never once regretted the consequences. He was conscious of no ill, and could never think himself blameable; so long as he was persuaded that the motives of his conduct were laudable, and the very reverse of what had been imputed to the framers of the proclamation.

Earl of *Coventry* observed, that in the course of the speech from the throne, no mention was made of America. His Lordship said he had made many prophecies of what would be the consequence of persevering in the American war, and unfortunately every one of his prophecies had turned out to be true, and had been fulfilled. He lamented that a war so fatal to Great Britain should ever have been begun, much more that it should be continued with so much obstinacy; and declared, that had the House paid attention to the propositions which he the last sessions informed them he was authorized to make from two persons of authority and influence in America, and which, had they been listened to by parliament, and agreed to, would have been ratified by congress, we should have been at this hour in peace with America. His Lordship concluded with earnestly exhorting administration to abandon all thoughts of prosecuting any longer their war across the Atlantic, which, as experience might teach them, was not likely to be attended with any beneficial consequences whatever, but would only aggravate the calamities which surrounded us, and perhaps end in the total ruin of Great Britain; for which reason, his Lordship declared, he should give his hearty support to the amendment moved by the noble Marquis.

Lord *Stormont* said, he was much surprized that any thing which he had the honour to say to their Lordships, should, contrary to the usual custom of parliament, be mentioned

again and again in future debates, and yet be repeatedly mentioned with additional inaccuracy. With regard to his speech of last session, in which he had talked of Spain and the probable conduct of the Court of Madrid relative to Great Britain and her contest with her colonies, he had argued fairly from a consideration how much it was the real interest of Spain not to interfere, and a conviction that his opinion was not confined to his own breast, but was also the opinion of many of the first personages about the Spanish court: he was at that time aware that there was a French faction in the cabinet of Madrid, who were actively at work endeavouring to persuade Spain to join France in the unjust attack upon Great Britain. He had never presumed to tell their Lordships the extent of the influence of the French faction at Madrid, nor to say whether it would have sufficient effect to induce the Court of Madrid to break her faith, and without the least provocation to go to war with Great Britain. Having said thus much in defence of himself, his Lordship proceeded to what he termed a much more serious subject, the speech which had been made from the throne, and the address and amendment which had been moved in consequence of it, the first by a noble Earl, the other by a noble Marquis; and here he begged leave to say, that he had ever considered it as the custom of parliament for noble Lords to confine themselves to the matter immediately under their discussion, and not to wander into a wide field of argument, upon topics which had no sort of relation to the business of the day; he therefore wished their Lordships to recollect what it was that called for their debate on the present occasion. His Majesty had made a gracious speech from the throne; a speech truly expressive in general terms of the real state of the empire, and in which his Majesty called upon his parliament for their support and assistance, at a moment when the country was threatened with invasion by the most powerful confederacy that ever conspired to attack Great Britain. The object of the confederacy was clearly to endeavour, if possible, to destroy the naval power of this empire, which had so long been its glory and the envy of all the world. On such a day, and on such an occasion, could their Lordships hesitate a moment what part it most became them to act? Would they say to his Majesty, "though you tell us your danger, and the danger of your kingdom, we will not assist you?" or would they not think it more consonant to their character, more to their honour, and more conducive

cive to the interests of their country to join unanimously in a loyal address to his Majesty, assuring him of their readiness to give him the fullest support?

The noble Lord who had moved the address had very properly explained the reasons of it. The address itself was couched in terms the most general, and, in his humble judgment, the most unquestionable that human invention could have suggested. Why then, instead of convincing the world by an unanimous assent to it, would noble Lords give the enemies of Great Britain fresh reason for renewing their hostile efforts, by leading them to imagine, that the King and his Parliament were not cordial to each other, and that we were in a state of distraction at home, and therefore any attempt at conquest which they thought proper to make, would be less difficult than they might imagine? With regard to a great many of the unfortunate facts mentioned by the noble Marquis in his speech, he was well aware of them, but perhaps he differed very much from the noble Marquis in his opinion of the causes of those facts; so far from ascribing the calamities with which Great Britain was now surrounded, the confederacy in arms against us, or the present situation of Ireland, to the conduct of ministers, he ascribed them in a great degree to our internal divisions, and to the incautious and violent language that was too frequently held in both Houses of Parliament. The amendment proposed by the noble Marquis was not a correction of a few words of the address which he had ever considered to be the sort of amendment warranted by parliamentary usage; but the substituting of entire new matter, totally foreign to the address, and equally foreign to the whole business of the day, which he once more begged leave to remind their Lordships, was to return an answer to the King's speech. When he came down to the House, he did not imagine he should have the least occasion to trouble their Lordships; how much surprized then must he have been to have heard a new address proposed, under the form of an amendment, which though it might be couched in the language of eloquence, was certainly the language of strong invective. The amendment, instead of speaking the voice of unanimity, inveighed in the most severe manner against the conduct of the King's servants, and, instead of cordially promising to co-operate with his Majesty in opposing his enemies, suddenly called for new councils and counsellors. His Lordship desired to know what was meant by new councils? The present system, it was evident from the speech from the throne, was to pursue the war with vigour: would the noble

Marquis and his friends have that system changed? Did they wish to have it carried on with the reverse of vigour? Would they recommend it to be followed with weakness and without spirit? If not, what did they mean by new councils? There was scarcely a noble Lord on that side the House on which the noble Marquis sat, who had not been in one administration or another, and they had all pretty nearly pursued the same system. On what pretence then was it, that the amendment advised his Majesty to take new counsellors, unless upon that pretence, and for that reason, which were so obvious, that it was altogether unnecessary for him to mention them? His Lordship said, that respecting Ireland, he thought the speech held out as much information as it was proper at the commencement of the session to make public; it shewed his Majesty's gracious inclinations to relieve Ireland, and it was a matter for their Lordships future discussion, what sort of relief to apply. He did not doubt but every one of their Lordships would be ready to join on that topic, so that at least, they would be unanimous in one particular, that of making some concessions. After endeavouring to defend the address, his Lordship concluded with exhorting the House to unite, and to forego all distinctions of party; declaring that great and powerful as the dangers were which threatened us, with unanimity at home, we might defy the utmost malice of our enemies.

Lord *Lyttelton* said, that there was not an individual in that House who had a more sincere affection for his Majesty's person, or more loyalty than he had; nor was there a noble Lord present who was more ready to give his support to every measure calculated to support the honour and dignity of his crown and empire than he was; but the times were critical, and required, indeed, that unanimity which was so much talked of, but seemed to be so little understood. Ministers talked of the necessity of being united, in the very moment that their own conduct was an example of the most jarring councils, and the most divided opinions; he had ever conceived that decision was the foundation, the solid basis of unanimity. Could the present ministry say, that their government was decisive? What was their government? Who could define their system? Who would be hardy enough to say, they had any settled plan? Their conduct was so changeable, and so cameleon-like, that no man could fix upon its colour. Fatal experience had shewn the futility of their late policy: America stared them in the face; it shewed the folly of ministers in a rash, a ridiculous, an extravagant, a mad war,

war, in which it was evident, success was unattainable, and which, instead of being governed by a wise, regular, and well-digested plan, like their whole conduct, was merely a chain of expedients, a repetition of instances of governing and dividing, of that wretched, that abominable policy, the *divide et impera*! What was to be their conduct respecting Ireland? He had hoped on that day to have heard a plain and explicit declaration from ministers, of some settled mode of accommodating the sister kingdom, of meeting her complaints, and applying an efficient remedy. He begged leave to remind their Lordships, that the affairs of Ireland were come to a crisis: that, perhaps, was the last day which their Lordships would have to debate upon the subject, the last day they would have it in their power to consider of a remedy, the last moment they would have to talk upon what was proper to be done, and to argue in what manner to apply relief; the eyes of the Irish Parliament, of the Irish associations, of the whole country of Ireland, were upon their Lordships; they had looked for that day with the most anxious expectation, and they would be governed altogether by the debates of it. What was said by the British Parliament respecting Ireland, would determine the fate of the country; their Lordships would not again hear the language of complaint from Ireland; even now the Irish applied for relief in a different tone from what they formerly used; they did not beg it as a favour, they claimed it as a right. Let their Lordships turn their eyes for a moment to the present state of Ireland, let them reflect on the crying necessities, the bankrupt state of the inhabitants, and let them reflect also on the numbers of armed men in the kingdom, men armed under associations, not in the pay of government, not even recognized by government. He had lately been in that country, and he had endeavoured to obtain an authentic account of every particular respecting these associations, and, as near as he could ascertain, there were at this time (that was about three weeks ago, when he was in Ireland) 42,000 men in arms; if he was wrong, the noble Earl in his eye [Lord Hillsborough] would set him right: of these 42,000, nearly 25,000 were as well trained and disciplined as our militia, after they had been embodied a twelvemonth. He had talked with several of their officers, and he had enquired into the original motive of their arming themselves. He found at first, they did it under the idea of protecting themselves from foreign enemies; they had written to government, and desired to have some force sent into the country for its defence; government had given them for answer, "That

they could not spare any force, and that they must take care of themselves." They had since endeavoured to obtain the sanction of government; but the Chancellor of Ireland, (Lord Lifford) and Lord Annaly, (the Chief Justice of the King's bench), opposed it upon the true and legal principle, that such a circumstance as men levying war in Ireland without the knowledge and authority of Parliament, was contrary to the meaning and spirit of the constitution, and that, therefore, however worthy the motive of their taking up arms, and commendable their good conduct and regular discipline; however they might approve both as individuals, they could not as lawyers, give it their approbation, neither could it be recognized by government, without warranting a breach of the constitution. His Lordship enlarged considerably on this point, and called upon government to avow their principles, if this was their doctrine, declaring, that if the same fear had taken place in Worcestershire, the inhabitants of which, though an inland country, might nevertheless be afraid of the enemy, and if government had in like manner sent them word, that "they must take care of themselves," and they had come to him, (though it was most probable they would call on the Lord Lieutenant of the county) and asked him whether they should associate and arm themselves, he certainly should have told them, "no; it is contrary to the constitution." His Lordship took notice also of what had been said both in the speech from the throne, and the speech of the noble Lord who moved the address, relative to the zeal of those who raised new regiments, and had subscribed for the assistance of government, and said, he doubted not the example would have been less particular and less confined; but that such was the wretched condition of this kingdom, and that of Ireland, that the inhabitants had little to give: the county in which he lived was as loyal and as ready to subscribe for the defence of his Majesty from the attacks of his enemies as any other, but necessity had pervaded the whole kingdom; from a rich, a flourishing, a commercial people, we were of a sudden changed to a disgraced, a ruined, a bankrupt nation; a circumstance which he imputed solely to the irresolute, the weak, and the pusillanimous conduct of administration. In times like the present, wisdom and vigour ought to be the leading characteristics of government; not the word vigour but the reality: temporising would do no longer; —the people in general, as well those of England as of Ireland, expected a decisive administration, not an administration of jobs and jugglers; they would not be satisfied with changing

changing the balls, and putting out this man merely to take in that; it was not enough that a noble Viscount, lately come into office, was to tell them, "true I told you a year ago that I thought Spain would not break with you, but I knew at that time of a French faction in the Spanish cabinet, though I never mentioned it." A noble Lord whom he saw present had gone out [Lord Gower.] Why? Was it not because the noble Lord could not get administration to meet his wishes, and come to some fixed rule of conduct? And yet the noble Lord would not vote or speak against administration; his noble mind would not let him distress those whose company he had quitted from his disapprobation of their conduct. Administration was to the world the best instance of its own want of firmness. It was a rope of sand, crumbling away day by day, till it came to nothing. Indeed there was one advantage gained to the public, by the appointment of the noble Lord in the green ribbon to the post of secretary of state, because he hoped it would so far answer the meaning of the amendment proposed by the noble Marquis, that it would give the public new councils; he meant, he said, the councils of an old, a noble, and learned Lord, whom he had, from his childhood, been taught to reverence and admire, and to regard as the oracle of wisdom. He hoped the noble Viscount's being appointed in times so critical as the present, to a post of the first importance, would, among other advantages to the kingdom, be attended with this essential one, that he, as well as the rest of their Lordships, would have the benefit of the opinions and advice of the noble and learned Lord to whom he had just alluded in that House, where he could not but think they were most proper to be given, and where he should always be happy to hear them. He begged the noble Viscount, and all their Lordships, to remember that the crisis of affairs was such that it demanded fair, open, and avowed council, no whispering, no whiffling no skulking opinions, no opinions delivered in the closet, and disavowed elsewhere: the Parliament was the great council of the nation, and in the Parliament it was the duty of every one of their Lordships to speak openly and ingenuously: it was not a day for dissimulation, nor the hour when dissimulation could be practised, without immediately entailing that disgrace on those who attempted it, which ought ever to be their punishment, and which they very rarely escaped; it was a time for speaking out plainly and honestly. For his part he spoke from his heart; he spoke for the people of England, the people at their Lordship's bar: he trusted their Lordships would give him

credit for his sincerity, and believe that he was not interested in what he said by any pecuniary motives. His wishes were to preserve his country. It was true he had a place, and perhaps he should not very long hold it.

His Lordship proceeded: The noble Lords smile at what I say, let them turn their eyes on their own pusillanimity, their own weak, ill-judged, and wretched measures, and then let them declare in their consciences which is most fitly the object of contempt, my thus openly and unreservedly speaking my real sentiments in Parliament, without regard to any personal considerations whatever, excepting only my situation as an Englishman, my duty as a Lord of Parliament, my duty to my King, and my duty to my country, which are indeed with me, and which ought to be with your Lordships, above all considerations; or their consenting in a moment of public difficulty and danger, like the present, to pocket the wages of prostitution, and to sit either in sullen silence, or what in my idea is still more criminal, to rise and palliate the calamitous and disgraceful situation of the British empire, endeavouring with art and collusion to avert the eyes of the nation from the threatening cloud now hanging over our heads, and so near bursting, that it behoves us to prepare how to meet the coming storm. My Lords, it is our interest to come directly to a satisfactory compromise with Ireland. Cast your eyes for a moment on the state of the British empire; America, the vast continent of America, and all its various advantages to us, as a commercial and maritime people, lost, for ever lost to Great Britain: The West-India islands abandoned; and Ireland ready to part from us. Ireland, my Lords, is armed, and what is her language? "Give us a free trade;" and not only that, my Lords, but they add something more, "and give us the free constitution of England, such as it was originally, such as we hope it now continues and will remain, the best calculated of any in the known world for the preservation of freedom." This language, my Lords, is not the language of an idle mob, it is the loud voice of the whole kingdom of Ireland, who thunders it in your ears, and who will be heard. Parliament itself says—government there, my Lords, as well as here, has a majority at command, but that majority dare not dissent from the popular opinion in this particular; it is therefore the unanimous voice of parliament, and through them of all Ireland, that nothing less than a free trade will content them, and that they will have it. The associations, though,

though, as I mentioned, originally armed for the defence of their country against foreign foes, within these two months have declared that they would also hold their arms ready to be turned against domestic enemies. They are now, at least the greatest part of them, disciplined, and have not only received the thanks of their counties, but both Houses of Parliament, and the thanks of the Lord Lieutenant, in whose printed speech, which I presume you have upon your table, you will find those thanks. Lay these matters, my Lords, to your minds; consider also that these Irish Associations are the Whigs of Ireland, men who detest tyranny, and execrate despotism; men who consider passive obedience and non-resistance as the slavish doctrine enforced only by tyrants, and which none but beings lost to every sense of manly feeling, and unworthy to enjoy the blessings of freedom, would submit to. They complain, my Lords, of oppression; oppression has had its effect, and they are plunged into despair from the penury which it has entailed on them; they can bear it no longer, and they are ready to change their task-masters. Let me also, my Lords, recite to you an expression which I heard from a gentleman in the Irish House of Commons, and which struck me very forcibly. Talking of the situation of Ireland, her necessities, and her just rights, "We have, Sir, said he, (addressing himself to the Speaker) our back towards England, and our face towards America." My Lords, this conveys a strong impression, not only of the present temper of Ireland, but of what may be her future views. It is worth while surely to put the matter out of doubt; meet the difficulty like men, declare what relief you will give the sister kingdom, and endeavour to regain her confidence and her esteem. Give her a free trade, let no local interest curb your generosity; be liberal with a good grace, unload her pension list, lighten her burthen, and enable her to assist you, not in ministerial jobs, not in granting convenient sinecures to men who have not done their country public service, but in the great essential points and considerations of a government wisely conducted, and founded on true constitutional principles. Remember, my Lords, every advantage you give to Ireland, will be a double advantage to England; open her ports, let them be filled with shipping, think of the benefits your marine will derive from it. Ireland at this hour, regards the government of this country as fond of oppressing her, and unwilling to give her freedom. She wishes for a Whig administration, and expects relief solely from the establishment of measures founded in Whiggism. Do not,

my Lords, in times like the present, rely on prerogative doctrines, or think their influence of any avail. The licentiousness of the press may teach you how much prerogative ideas are despised and exploded; every newspaper teems with libels on the King's ministers, which now pass as matters of course, and are multiplied in number, and aggravated in quality, beyond all example. In a word, my Lords, government must renovate her system before there will be grounds for hope of better prospects, the general relaxation of manners must be corrected, authority must shew her face again, and due subordination must be restored.

His Lordship, in the course of his speech, adverted to almost every topic that had the least reference to the present situation of our affairs. He discussed the nature and customs of war, applying them to the conduct of our American war, and said a nation might shew its magnanimity by its humane and generous forbearance of cruelties, as much as its prowess and its power by conquest; that the French had, in the course of the last campaign behaved with a degree of singular generosity and humanity. He took occasion also to say, that he wished every possible success to government, but he wished government would adopt such a line of conduct as should merit the support of all men. He had for the seven years he had been in Parliament given them his support; that he was free to correct past errors, not that he meant to retract any of his arguments respecting the legislative rights of Great Britain over America. He still remained firmly of the same opinion, but as he was convinced by experience of the improbability of attaining the desired end of the war, it appeared to him to be absurd to pursue so expensive a measure farther.

Earl of *Hillsborough* said, he was much surprized to hear the noble Lord, who spoke last, give so exaggerated an account of the situation of affairs in Ireland. He had been in that kingdom as well as the noble Lord, and he believed more recently; and he had never seen or heard of any of those forerunners of tumult, sedition, or revolt, which had been so strongly described by the noble Lord; he was satisfied the case was exactly the reverse; that the people of Ireland were not only loyal, but affectionate; and that it was as abhorrent to their principles, as it was alien to their hearts and inclinations, to employ those arms, which were put into their hands for their safety, protection, and self-defence, in endeavouring to dissolve the ancient and constitutional connection, by which both kingdoms were knit together.

It was true, the situation of Ireland was, to the last degree, miserable and distressed. The people were starving and unemployed;

employed; and he was free to say, that measures of relief were become highly necessary. It behoved their Lordships too, as one of the branches of the legislature, to co-operate with his Majesty and the other House, in giving effectual relief, not from any motives of compulsion or threat, such as had been held out by the noble Lord, but upon solid and substantial grounds of good policy, and mutual benefit, further cemented by affection and kindness; for whatever measures would afford effectual and permanent relief to Ireland, would, as an effect from a fixed cause, most essentially serve this country. He was nearly connected with that kingdom. He had passed a considerable part of his life there; and he had other reasons which might be supposed to influence him in its favour, to the full as strong as those which had probably urged the noble Lord to make the warm and pathetic representations, relative to the state of that country, which he had; but he spoke now as an Englishman, anxious for the interests of his country; and he protested, that he did not know a single measure of relief, which could be prudently given to Ireland, that would not prove equally beneficial to England; nor any degree of prosperity or depression which England felt, that Ireland would not feel, sooner or later. England and Ireland stood in the exact relation of two sisters, whose fate and fortunes were built on the same foundation; and he was the best friend to both countries who pointed out that relation, and endeavoured to promote union and good-will; because so long as they remained united in interest and affection, they would be able to resist and defeat the most vigorous efforts of their most formidable and inveterate enemies.

The noble Lord had talked in a very violent and extraordinary strain indeed, relative to ministers hiding and skulking behind the throne, in order to screen themselves from responsibility. He had accepted an office of great trust that morning; he had received the seals, and he begged the noble Lord would not include him, in the description of those, who wanted to hide or skulk, for he was determined to do neither. The noble Lord had dwelt much on the presumed irresolution, and the constant fluctuation which prevailed in our counsels; in this particular likewise, he assured the noble Lord, that the charge, whether true or false, should not be applicable to him in his new situation. He would declare his mind candidly and fairly, and support his opinion with firmness in that House, and in every other place where it might be his duty, or it was necessary to give it.

The

The noble Lord had talked much of controul, invisible influence, and the imbecility of ministers; in short, though they had the will, they were not armed with the means of carrying the measures which they approved of into execution. He for his part, doubted much of the assertion, but granting it to be true, he had taken every precaution in his power, to explain himself on the subject, before he accepted of the seals.

He was called by his sovereign, from a private situation, to assist in his councils. He had formed his opinions, as an object of leading consequence respecting the state of Ireland. He had imparted his thoughts, his motives, and intended conduct, to those with whom he was to act; and upon the idea of a full confirmation, and support of the crown and its servants, he consented to come into office.

He wished not to be understood, as dictating any measures, or pledging himself for the result; what he meant was merely this; that such and such were his opinions, that they were approved of, and that he would wait with anxious suspense, and cheerfully abide the event, and in common with the rest of his Majesty's subjects, submit to the sense of Parliament; but if on the other hand, as suggested as a general charge against government, that the conditions on which he came into place should be violated or departed from, or that a perfect good faith should not be preserved; the same motives which induced him to accept of the seals, a view to serve his country, to give relief to Ireland, and advance the interest and prosperity of every part of the British empire, would point out to him the propriety of retiring again into a private station; when the end for which he left it was no longer attainable, or in other words, when it would not be in his power to serve his country.

The noble Lord had dwelt greatly on the resolution and fixed determination of Ireland, not to accept of any concession or relief short of a free trade; and had quoted the address of the Irish Parliament, to shew it was the united and universal sense of the people, both within and without doors. He acknowledged the fact to be true as a general position; but this he could say, that he had many express conversations with persons of the first rank, abilities, and influence in that country, and could never learn from them, what positive or specific notions, they annexed to the idea. If a free trade meant an equal trade, he was as ready to grant Ireland, as far as it depended upon his voice, a free trade, as any man in
either

either kingdom. It must mean that, or nothing; or a total separation from this country. It was to give every support in his power to measures promotive of, or granting an equal trade, that brought him into office, because he knew such a measure would be equally beneficial to both kingdoms.

The noble Lord had urged with great warmth, and with those commanding abilities which he so eminently possesses, the language used in both Houses of the Irish Parliament, disclaiming any connexion or dependence on this country. He could not undertake for the particular opinions of any man, or set of men, nor say what might or might not have fallen in the heat of debate, but this he could affirm, that saying Ireland was a distinct kingdom, governed by the same sovereign, and in every other political sense unconnected with this, was not constitutional language legally true, because there was a law still subsisting and contained in the statutes passed in that kingdom, in the reign of Henry VIII. which expressly declares and enacts, that the kingdom of Ireland shall be for ever annexed to that of England, which in other words imports, that the kingdom of Ireland constitutes part of the dominion of the crown and realm of England.

The noble Lord imputed it as a fault in administration, to permit the Irish to associate, and attributes the present spirit which has manifested itself in that kingdom, to the permission alluded to; and has strengthened this part of his detail, with particular facts expressive of the conduct of the associators, their motives for associating, and their ultimate resolution, in case this country should refuse to grant them a free trade. In every one instance, more particularly his inferneces, he believed his Lordship was mistaken, and led hastily into erroneous conclusions. The truth was, that the associations originated from causes of a very different nature, and were entered into merely on motives of self-defence and self-protection. Several towns and districts, Belfast and one or two others in particular, applied to the Lord Lieutenant, soon after the delivery of the French rescript, for troops, in order to protect them from the sudden predatory invasions and landings of the American and French privateers. The former had kept up a continual alarm along the coast, in the course of the preceding summers. The Lord Lieutenant transmitted those applications to England, and the answer returned by his Majesty's servants here was, that it would be extremely inconvenient to spare any troops from this kingdom; that if they were spared, the general defence of the
empire

empire must suffer, and that it would materially affect our active operations abroad; and recommending to the people who were most exposed to the ravages of predatory invasion, from their vicinity to the sea coasts, to arm themselves for their own protection.

This was, his Lordship said, the cause which originally brought the military associations into being, and he was persuaded, still kept them together. The noble Lord, said, that the associators were Whigs and Protestants; he acknowledged it, and the appellation had done them honour. They had proved themselves to be constitutional Whigs, ever ready to support the just rights of the crown, and their own liberties. They were doing so at the instant he was speaking. They were full of loyalty towards the prince on the throne; they respected and revered Great Britain; the enemies of the latter were their enemies, and the formidable state of defence and preparation that country was in, and its firm resolution to resist the open menaces or secret machinations of a foreign enemy, proved in the fullest extent, that they were ready to sacrifice every thing dear and valuable to them in the common cause they were engaged in with the sister kingdom; their arms were pointed against the ambitious attempts of the house of Bourbon, not in meditating an act of political suicide on themselves; or one, which if the noble Lord's assertions were well founded, would be fraught with ingratitude, as well as folly. Ireland could subsist, really and truly, free and independant no longer than she was connected with England; and he was perfectly persuaded, that a second opinion was not entertained by the Irish on the subject.

The noble Marquis who moved the amendment had pointed out the fatal consequences of the measures which had been adopted soon after the accession of his present Majesty, and had contrasted this representation with the degree of power and pre-eminence in which this country stood at the period alluded to. It was a parliamentary language he was little accustomed to hear, and therefore confessed, that he heard it with no less astonishment than indignation. Taken in the light in which it appeared, and for the purposes for which it was apparently intended, he could not avoid saying, that they were sentiments extremely unbecoming the noble Lord who delivered them, as well as the dignity of that House: as the noble Viscount had well observed, they were replete with invective, and were a kind of libel on government. They contained misrepresentations, and led directly to the attributing

attributing to the present administration, what if true was imputable to every other, since the accession of his present Majesty; for he did not know one which had not something to do with America. It plainly proved, that if the measures were wrong, each successive administration were liable to share a proportionable part of the blame.

The amendment moved by the noble Marquis, recommended new counsels, and new counsellors. The counsels in the instance alluded to were professedly the same, as to the great outline in respect of asserting and maintaining the legislative rights of the British Parliament over America; and as to new counsels, he did not see one noble Lord present, who had not been in some one of the administrations, on which the noble Marquis had passed an indiscriminate censure; for which reason, till either their Lordships came to a vote, declaring that they disapproved of the measures they themselves while in office had respectively supported, or till some men, or description of men, should arise, who had not been tried, he saw no ground nor reason sufficient to induce the crown to change its present servants. For his part, he had entered into office with some reluctance; and he should quit it with pleasure, if he could be persuaded that his resignation would be the means of introducing a set of men into power, who were likely to extricate the nation out of its present difficulties: but till he was convinced, that this would be the event of a change of system, and a change of men, he must continue to be determined by those opinions which had hitherto been the sole rule of his actions, and had uniformly prescribed to him the line of political conduct which he pursued. He had been educated in Whig principles, as well as the noble Lord who spoke before him, and the noble Marquis; he had for many years acted with the Whigs, and he could fairly declare, that he had never yet deviated in a single instance from what he deemed the principles of sound Whiggism.

His Lordship concluded his speech with saying, that such being his motives, his objects, and opinions, he could not agree with the amendment, and as he could not, he was ready to concur in the address moved by the noble Earl.

Lord *Lyttelton* rose, and called upon the noble Earl who spoke last, to explain what he meant by the distinction made by him between a free-trade and an equal trade. Did the noble Earl mean this: that the customs, taxes, and excises now paid in England, should be paid in Ireland, and the benefits,

benefits and burthens which came mixed to the people of England, should come in the same manner to the people of Ireland, that the whole of our debts, establishments, commerce, &c. should be equalized, or borne, or enjoyed, in a proportionate share?

Without some explanation of this kind, the apparent candour, firmness, and avowed responsibility of the noble Earl, amounted to just nothing; the people of Ireland would be held in an equal degree of suspense, as if the noble Earl had remained totally silent on the subject. They would be in the dark as much as ever, and would have nothing to depend upon but general promises, conveyed in ambiguous and unexplained terms.

The noble Earl had quarrelled with the words "free trade," as conveying no specific meaning. His Lordship had even gone farther; for he said, the very people who used the term, did not seem to understand it themselves. For his part, he thought the words were as definite as it was possible for any language to convey; a free, unlimited and uncontrouled trade with any nation under the sun who chose or thought fit to trade with them. What, on the other hand, was the noble Lord's phrase, an "equal trade?" If an equal trade, in his Lordship's sense, meant a free trade, he could easily understand it; but if an equal trade imported a system or code of trade laws, it was the most complex and indefinite expression that could possibly be conceived.

But supposing he was to argue on this phrase, on the presumption that it meant an equality of taxes, how was this equality to be fixed? Not surely by the British Parliament? that was a stretch of power or dominion which hath hitherto remained unasserted. Was it to be by the Irish Parliament? that would strike at the supposed dominion of this country; or were both kingdoms to treat upon equal terms? In this event again the supreme dominion of England would be equally affected as in the preceding instance; for it would be preposterous to say, that the relation of superior and inferior can for a moment subsist between two parts of the same empire when they come to treat upon equal terms, and claim and assert independent and uncontrollable rights.

But, putting the first supposition out of the question, that it is not intended that the Parliament of Great Britain shall interfere with the introduction of taxes into Ireland, will not the following considerations immediately occur, which arise from

from the internal state of Ireland, and the temper and disposition of the people there at present?

Are the people in a condition to pay the heavy taxes now levied in England? or if they were, is it to be presumed, or is it not the last stage of political folly to presume, that they will encumber themselves with a portion of our debts, and load themselves with enormous taxes, if they look upon themselves free, equal and independent? Such an expectation is to the last degree improbable and absurd; the only measure now left, in his opinion, was to come to a direct vote on the subject, and grant Ireland a free trade. Such an act would have every appearance of generosity, and would be only parting from, with a good grace, what we were not able to retain in any other manner. This was the last moment probably we should have to grant it, and we ought not to let slip the opportunity.

It is true, England had an exclusive right to trade to her colonies and dependencies, to which Ireland had not a shadow of pretence; but what of that? Ireland, if excluded from trading with the British colonies, would most assuredly shut up her ports and harbours against the people of Great Britain; and thus we should lose more by our ill-humour than we could possibly gain. Ireland would soon establish rival manufactures to those of Britain; she would open a trade with foreign powers, and we should not only lose the benefit of the Irish commerce, but we should do worse, by throwing it into the hands of strangers, and after the conclusion of the war, into those of our present enemies.

His Lordship concluded with pressing the noble Earl to an explanation of the meaning he meant to affix to the words "an equal trade," as contradistinguished to a free trade, because any thing short of what he had now described to be a free trade, in the acceptance of the Irish nation, he was persuaded, would be rejected with contempt and indignation,

Earl of *Hillsborough* replied, that he thought he had sufficiently explained his meaning, by the words "equal trade" and "equal advantages." As it was the most equitable mode of accommodating the claims, adjusting the rights, and consolidating the interests of both kingdoms; and as he had every well-founded hope and rational ground of persuasion, that such a measure would be perfectly acceptable to the Irish nation, he thought it was very unnecessary to enter farther into explanation or detail; neither was the present a proper time. A general recommendation came from the throne to

the British Parliament, to take into consideration the affairs of Ireland; the proper question, consequently before their Lordships was, will you or will you not consider or enquire into the present state of Ireland? not about what you mean to do, before you know the nature of the disease. It was impossible to point out the specific measures which may be proper to be pursued in the course of this important business. The position he had taken the liberty to lay down, though general in terms, was sufficiently specific in its nature. It was a grant or consent that Ireland should have an equal trade. The conditions, or mode by which this equality was to be carried into execution, was another, and a very different point, and formed no part whatever of the present subject of debate, which was no more, as he observed when he first rose, than whether we should agree to the address in the terms moved, or object to that particular part respecting Ireland.

As to the associations and their origin, he imagined he had already fully explained himself on that head. He never heard that arms had been put by government into the hands of the associators, at least, to any considerable amount; though upon recollection, he believed that some were delivered, when the offer was accepted by the Lord Lieutenant, in consequence of the requisition and answer already mentioned.

As to the legality of arming them, he did not pretend to give an opinion one way or the other; he presumed, though it were illegal; it was a measure of necessity, and might be well justified on that ground; and he made no doubt, that the most solid advantages had been already derived from it. That kingdom, though not defenceless, was far from being in a state of resistance, in proportion to its extent, and its open exposed situation in respect of France, as well as its internal weakness, in respect of forts and fortresses; and for his part, he was led most sincerely to believe, were it not for the zeal, ardour, activity, and spirited determination of the inhabitants, that France would have before now, effected a landing there; in consequence of which, the country would by this time, have felt all the calamities flowing from a foreign war, carried into the heart of the kingdom.

Lord *Lyttelton* again rose, and said, the point undecided between the noble Earl and him, the noble Earl had still left as he found it. If Ireland was left to protect herself, what

was

was the inference, but that the force which she appropriated and paid for defence, was drawn forth to fight the mad Quixotic battles of Britain, on the other side of the Atlantic? consequently it was the fault of ministers, who had obstinately continued to persist in that ruinous war, after every successful attempt had become impracticable: so, that in either light, the matter came to the same point. Ministers had stripped Ireland of her internal defence, and had deserted her, and left her at the mercy of the predatory ravages of a set of French and American freebooters, which created the very necessity on which the noble Earl founded their justification. That is, ministers committed one error, which producing a certain effect, that effect, or cause, as to the second measure, is set up as a general defence in favour of the latter.

The noble Earl says, that many benefits have been derived from permitting the people of Ireland to associate. Be it so; but do those benefits legalize the act? On the contrary, have not the two first crown lawyers, the Lord Chancellor and Lord Annaly, chief justices of the court of King's Bench in that kingdom, condemned the legality of the measure? The noble Earl seems to doubt that government had put arms into the hands of the associators, except in some few instances. The fact is notoriously otherwise, and he begged once again to repeat, that the Lord Lieutenant himself informed him that there had been 7000 stand of arms distributed among them.

On the whole, the people of Ireland were resolute and determined, they had taken the government into their own hands, they had chosen their officers, and in some instance dismissed them, when they learned that they were not zealous in the cause of their country, or inimical to its supposed interests. The associators were composed of all the descriptions of men of property the kingdom contained, from the first nobleman downwards; and the private men, not like a common militia, consisted of respectable merchants, traders, manufacturers, farmers, &c. Indeed, the nature and condition of service was such, that none of the needy, indigent, or laborious part of the people could be included; because they received neither uniform, pay, nor emolument of any kind whatever. His Lordship entered into several other matters, restated many of his former arguments, and again called upon the noble Earl to explain himself explicitly, or

looked forward to the dire alternative, a total separation of that country from her sister kindgom.

Bishop of *Peterborough*. The noble Earl who moved the address, and a noble Viscount high in office, have exhibited to your Lordships so flattering a portrait of the state, that I am at a loss to discover the likeness; I will not borrow the noble Earl's expression, and call it delusive painting, but I may say that, like skilful artists, they have placed a few favourable features in a strong light, while they cast into shade every blemish and defect. It is not, however, in the powers or arts of eloquence to convince your Lordships, that this country is not actually involved in difficulties, dangers, and disgrace. I will not insist on what has been so often lamented, the great expence of blood and treasure lavished away in America, to no good end whatever; nor can any man, who has the honour of his country at heart, find pleasure in dwelling on the late circumstances of our naval history: our enemies will take care they shall never be forgotten.

I need only call your Lordships' attention to the deplorable state of public credit, the enormous burthen of taxes, which is still increasing, and while the present system of administration is pursued, must increase without measure and without end. It is to the same system that we must attribute the danger which threatens Gibraltar and our trade to the Mediterranean, To that we owe, not only the loss of the continent of America, but of those very West-India islands, which, at the close of the last war, in their unsettled and uncultivated state, were held forth to the public, as a full equivalent for all the victories we had gained, and all the conquests we had made in every quarter of the globe. If we turn our eyes nearer home, it is to the same cause we must impute the alarming state of Ireland. Other associations there are on religious principles, in different parts of the kingdom, which, however weak and inconsiderable they may seem in their beginnings, experience has shewn may be of the most serious importance in their consequences. In a word, my Lords, it is to the measures which have been pursued, that we own that spirit of dissension, animosity, and resentment, which unhappily not only prevails in parliament, but which prevading the lower orders of men, is publicly and privately vilifying the authority of government, and has already, in a great measure, destroyed that respect of opinion, without which no state can long remain in peace and security.

Was

Was it my ambition merely to make a speech to your Lordships, there is not a single head in the summary I have mentioned, but what affords an ample theme for declamation; raised however as I am to a situation in life far above my expectations, I have no point in view but to do my duty in it to the best of my power. I speak from conviction, and have too much respect for your Lordships' dignity and wisdom, to make any other appeal, than to your good sense and your reason.

I simply therefore state to you the effects of that cause, which the amendment calls upon you to remove; and give me leave to say, that it is a duty which you owe to your King, your country, and yourselves, to apply a remedy to these national disorders. It must too be done quickly, the mortification is begun, and delay is death. Bad however as our situation certainly is, God forbid that your Lordships should yet despair of your country's salvation. It is a circumstance on which I must congratulate this House, that we have heard from a noble Lord, high in office, new measures are already determined on with regard to Ireland. Were they likewise adopted at home, and extended to America, there is little reason to doubt but that our enemies would be prudent and moderate enough to grant us an honourable peace; if not—I trust that under God's blessings on the national spirit, they might soon be obliged to ask it.

Earl of *Hillsborough* spoke so remarkably low now, as well as the second time he rose, though he was called on frequently by several noble Lords to speak out, that little of what he said could be clearly distinguished. The only fact he spoke to in an audible voice was, that the gentlemen who his Lordship said had been dismissed from their commands, for differing from those who served under them, were not dismissed at all; they resigned of their own accord, and, as he was informed, retired from the associations out of choice, not compulsion.

Earl of *Shelburne* entered into a state of the nation, respecting its internal condition, the future prospects which presented themselves, some at a greater distance and some nearer; and took a retrospective view of the occurrences of the last summer.

He said he could not help, in this early part of his speech, expressing his hearty concurrence in the amendment moved by the noble Marquis, and the leading object to which it was directed; new councils, and new counsellors. It was a

transcript of what had been delivered in writing, by an illustrious and consummate statesman, not long since deceased [Earl of Chatham] in a correspondence which made its way to the public eye [Sir James Wright's attempt to bring about a secret negotiation between Lord Chatham and the Earl of Bute.] It was the noble Earl's sentiments for many years past, expressed upon various occasions; he heard them often, and he believed that the last conversation he had ever the honour to hold with the deceased Earl upon the subject of public affairs, the noble Earl urged the necessity of new councils and new counsellors, in very anxious and warm terms. Indeed that necessity was so glaringly apparent at this period, that he that could run might read. Our councils grew every day from bad to worse; but they had at length arrived to the last stage, the worst of all; and without a point it might be truly and indeed confidently said, that the next change, be it what it may, must be a change for the better. The system which had led us into our present difficulties, though the fixed principle was the same, the fatal consequences it brought with it in its train, varied in quality and extent, and were now arrived at a crisis, a very alarming one he confessed, but such as must shortly decide, he feared, the fate of this country. The mode in which it was nourished, upheld, and conducted, grew into strength in proportion to the mischief it caused, and the dangers which it created. The speech that day delivered from the throne, as conveying the sentiments and unprecedented, audacity and insolence of the Cabinet, contained in itself a complete epitome of the whole system; it indeed set decency at defiance, and even forerun the utmost sketch of human probability.

The affairs of Ireland, which had furnished so much matter of conversation in the course of the debate, he said, afforded a subject of the first importance, and extremely pressing in point of time. He begged leave to remind their Lordships of the part he had uniformly taken in that House, respecting the state of that kingdom.—He had often delivered his sentiments on the subject. He should not now repeat or restate what they were. The opportunity was passed, never again to be recalled. What Ireland was, he ventured to assert she would never be again, a dependent nation, imploring relief, and exciting pity in the heart of every man who had a heart to feel for misery and oppression. He wished to pass over this subject, it was a melancholy one; other prospects opened
to

to the view of that insulted and oppressed country. While he said this, he could not help declaring his own particular sentiments, which he begged leave to assure their Lordships arose solely from a mutual regard for both the countries, which could be founded, in his opinion, only in a reciprocity of interests; for he was free to say, that local advantages, or partial benefits, would in the end be found destructive of the views of either kingdom; and it was with much concern that he heard any expression fall from the noble Lords, which might admit of an interpretation, indicative of national prejudices, or promoting partial interests.

His situation was delicate, and he wished to be indulged with a few words in point of explanation. The noble Lord who sat next him [Lyttelton] had opened his speech with great candour and distinguished abilities, respecting the state, condition, temper, and disposition of the kingdom of Ireland, from which he had recently returned. By the tenor of his speech, and his particular assertions, the industry he had exerted in order to make himself well and fully informed upon these particular points, all which were further confirmed by the addresses of both Houses of Parliament of that kingdom, and private communications received by himself, had done his Lordship great honour. He was firmly persuaded, that the Irish nation would not be satisfied with any concession short of a free trade. The noble Lord who came that day into office, and who, by what had fallen from him, partly avowed himself to be the minister by whose counsels the affairs of Ireland were to be more particularly directed and administered, had not attempted to invalidate what had been urged by his noble friend; but seemingly acquiescing in the opinion and the propriety of the claims of Ireland, took up a distinction, by saying it was the wish of the King's ministers, to give Ireland an equal trade.—His noble friend, conceiving the distinction, and, in his opinion, very rightly conceiving it to be equivocal, pressed the noble Lord to explain what he meant; and in a masterly manner, pointed out the difficulties which must arise, to obstruct the carrying into execution such a measure, if the words “a free trade” meant any thing more than a mere delusion, in order to quiet the minds of the Irish, and allay that ferment which had been raised; by the neglect, he would add, the most shameful and disgraceful neglect of ministers, in not applying timely and effectual healing remedies, to soften the immediate malignity of the distemper, and in the end, to

gradually remove and totally eradicate it. But what was the conduct of the noble Lord who was thus called upon in the most urgent and pressing terms? Nothing more than a repetition of the same equivocal expression could be extorted from him, an equality of trade and a communion of interest, without pointing out in what that equality was to consist, and of course what was the basis on which the interests of both kingdoms were to rest or be united. The moment was to the full as critical as had been described by the noble Lord who pressed for these explanations, and he was sorry to perceive such a rooted disinclination in the King's servants to any thing which bore the most distant appearance of sound, specific, and healing measures. For his part he could not, from the repeated proofs they had in almost every instance given of their neglects and omissions, ever give credit to ministers for their promises in any instance respecting the government of the empire, when they even came to particulars and specification; much less when they in part disclosed their views, by holding out no more than general assurances, couched in vague, evasive, dark, or ambiguous terms.

Much had been said, in the course of the evening, respecting the Irish associations and associators; it was a subject upon which he did not wish to dwell. The history of their rise, progress, and effective strength, might be gathered from another history, that of the conduct of administration here. That accursed war, the American war, was the favourite measure of administration; every other object of national security, strength within, and dignity and national glory without, was sacrificed to it. Ireland, with a very high military establishment, which at length ended in public bankruptcy, was stripped of its own proper military force and defence. It was not enough for ministers to draw forth the interior defence of that country, which from many local causes required the hands of government to be strong, and competent to quell particular temporary disorders peculiar to the country, by aiding the civil magistrate in the execution of the laws and preserving the police; but even the coasts of that kingdom were left defenceless, and the principal marts and places of commerce were left to the mercy of American freebooters and French privateers. The former had frequently, in the course of the summer 1777, appeared off their coasts, and spread an alarm from one end of the kingdom to the other. When France leagued herself with America the last spring but one, the apprehension of the people there arose in proportion to the probable encreased danger and change of
circum-

circumstances. Robbed or cheated of their own defence, they naturally applied through the channel of their Viceroy, to the English ministry; and what was the consequence of that application? Why, the noble Lord that day come into office, howsoever unwilling to come to facts or specification, confirmed every thing that had been urged by the noble Lord near him; and with great fairness pointed directly to the original and sole cause of those associations, by acknowledging the only effect or consequence of this application was shortly this: The noble Lord now come into high office tells your Lordships that the answer of the British cabinet returned to the people of Ireland, in two or three instances, in the first particularly, through the channel of Lord Buckinghamshire, was, that government could afford them no protection; that they must defend themselves; and in order to enable them to do so, that arms would be shortly put into their hands for that purpose. What followed called indeed for very few words; arms were put into their hands; they associated for their own defence; the spirit of association spread itself through almost every rank of people, at least through every rank whose ability or situation in life would admit of entering into such a service, upon the conditions of serving without pay or other emolument. This was a circumstance that deserved and loudly demanded their Lordships' utmost attention and most serious consideration, because it would undeceive them in one most important point; it would convince their Lordships that in the first instance the government and parliamentary dominion, if any such ever constitutionally existed, had been openly and professedly abdicated; that the people in general resumed at least that part of it which was established for their military protection; that throughout the whole progress, and in the different stages of that alarming business, what happened was no more than the natural effects of causes well known and acknowledged by administration itself; and that the present state of Ireland grew out of the several repeated and successive circumstances now lightly recapitulated. He had one other use to make of the facts he had now stated, which he most earnestly wished to impress upon their Lordships' minds. It had been industriously propagated without doors, that the views of the people of Ireland in associating, from the beginning, had, as in the case of America, been directed to the great object they are now contending for, a total independence upon the government of this country, and a free trade. The rank falshood of this general charge was fully refuted by what appeared from the

facts already mentioned ; but those who reason in this manner confound the cause with the effect, or rather conclude upon the present appearances of things in that country, without wishing to look retrospectively to what led to and generated them. Whatever the intentions of Ireland were, she now demands a free trade as a matter of right, which is in effect, say they, declaring herself independent ! She is armed, and is determined to resist the claims of this country, in case of refusal. This was a most fallacious mode of reasoning, and was no less contrary to fact than fair inference. The people of Ireland were a sensible and generous people. As a generous people, they would scorn to take advantage of the distresses of this country ; as a sensible people (for he protested on his conscience it was his own opinion) he could never be persuaded, that they wished to disunite themselves from Great Britain, or to promote a separate interest ; because they must perceive that their own strength and prosperity would intimately depend upon those of Great Britain. For his part, he thought their interests were inseparable, and their views and expectations, when properly considered and wisely directed, the same.

Though much pleased with what had fallen from the noble Lord near him on the subject, he had an opinion of his own, which it particularly behoved him to declare before he sat down, which was with respect to the temper and conduct of the associators. He spoke from experience, so far as it was a matter of personal concern of his own ; and he spoke from good information, and such as he could depend upon, on the subject, as a matter of public concern. Respecting himself, he could affirm, that he had a considerable property in that kingdom, and that since the associations took place, it had been better protected than for some years past ; and he had, in consequence of the order and internal regulations which the persons associated had introduced and carried into execution, received more remittances, and had been more punctually paid his rents, than for many years past. The other matter he alluded to was connected with the foregoing, or rather grew out of it, which was, the peace and tranquillity, and the whole of the police, that has taken place in that country within the last eighteen months, which has not been equalled, much less surpassed, at any former period since the accession of his present Majesty. He would just add one word more on the subject. He had not fixed his residence in this country till after an age which gave him an opportunity of knowing something of the genius and temper of the people with whom
he

he passed a great part of his juvenile years; nor resided so long in England, without forming some estimate of the disposition of its inhabitants. From his experience of both, he was enabled to say, that the English were a humane and a brave, and the Irish a generous and brave people. The latter may be more violent, and, perhaps, naturally more sanguinary in their resentments than the former: but all things considered, he was authorised on his own judgment to affirm, that they were equally averse to any measures which might lead to involve in them scenes of blood, the constant consequences of civil war.

After urging these and similar arguments in a variety of lights, his Lordship said, that however melancholy an appearance the affairs of Ireland might have, he believed in his conscience, that there was another circumstance, which, though apparently inferior to the former, would be even more fatal in its consequences than the presumed defection or resistance of Ireland; that was, the probable loss of Jamaica, in the event of our enemies making a landing good on that island. If any accident or disagreement should cause that kingdom to disunite itself from this, or that a separation between both kingdoms should be the consequence, it would prove no more than a temporary separation, and both nations would again return to their former good temper, good humour, and sisterly affection: but Jamaica once lost, would be for ever lost; and as he had received accounts of the most authentic and alarming nature from that island, he thought it a duty he owed to their Lordships, and the public at large, to state some leading particulars which had in consequence of those communications come to his knowledge. He understood the state and internal condition of Jamaica to be this, both in respect of the temper of the people, and its internal defence:

The governor supported by the council, had made himself very obnoxious to the house of representatives, and the whole body of their constituents. There were many reasons assigned for these discontents: but he should confine himself to one in particular which gave great offence, that was a proposition for arming the negroes, and by that means rendering them, at least *pro tempore*, free and upon an equality with a white man. This was looked upon as a precedent not less impolitic than hazardous; impolitic, because it would tend to inspire the slaves with ideas productive of disobedience, dissatisfaction, and revolt, at a future period, when they found themselves obliged to return to their former condition. It was a wanton attack on the property of individuals, and if
adopted,

adopted, would answer no good or effectual purpose. It was dangerous, because the very instant the slaves found arms in their hands, who could or dare promise, that the very first use they would make of their weapons, would not be against those whom they were purposely armed to assist and defend? The house of representatives, or assembly, fully weighing these points, and urged by other motives, rejected the proposition, which had created an ill-will between the legislative powers of the state, and produced many marks of jealousy, enmity, and bad temper, which portended the very worst effects.

The next point was, the state and disposition of the army and militia. The army, in the first instance, consisted of the following regiments or corps. The Liverpool blues, who on their embarking at Spithead consisted of nearly 1200 men, were reduced by fatigue and the ravages of the climate to about 750 men. The first battalion of the royal Americans, which, if complete, ought to consist of upwards of 600 men, were reduced to little more than 200; Dalrymple's Irish corps were about 340, and a detachment from another regiment, including the artillery, about 200; in all, about 1500 effective men; the militia 4000, and the whole force considerably short of 6000. This was not all: the military and militia had disagreed, and on some occasions refused to serve with each other; some of the militia officers had resigned in disgust: in short, what with the internal divisions among the people, and the disagreements just mentioned, with the inadequacy of the force itself, such a picture of radical civil weakness, and want of effective strength, was presented, as ought to alarm their Lordships in the highest degree, for the fate of that very valuable island; the first in point of importance to this country, after Ireland, of any of her numerous dependencies.

But if such were the civil broils, such the military, and such the want of force, by whom was this army to be commanded? Who was the first? Who was the second in command? Why, an unpopular governor, and a deputy governor. As to the first, he believed, that the fact of his unpopularity was hardly to be doubted, from the circumstances which he adverted to. Well then, in case of death, or other accident, the command, said he; your Lordships may presume will devolve on the deputy governor. Who is the deputy governor? I will tell your Lordships who he is, and the manner he employs his time. The lieutenant governor is, my Lords, a Lieut. Col. Smyth, now in London. The military history of this gentleman is worthy of notice, so far as

it points out the powerful patronage with which he is favoured by a noble Lord in the other House [supposed to mean Lord George Germain.] This gentleman, not satisfied to enjoy the present consequences arising from leave of absence in his military line, was appointed lieutenant governor of Jamaica, through the interest of his noble patron; but has never yet set foot on that island, and the best part of the business is, as I have been informed, now performing by a master or captain of a ship now lying in Port-Royal harbour. But, my Lords, the matter does not end here: though the gentleman does not pretend, I believe, to undertake to be in two places at the same time, another duty which he has engaged to perform, would imply something very like it; for as he could not act as second in command in a place at three thousand miles distance, which if not actually invested, is daily and hourly threatened with an invasion, he thought that such a thing could be done much easier when nearer home; in consequence of which, I understand that he discharges the duty likewise of lieutenant governor of the Isle of Man, where, I am informed, no lieutenant governor had, since the island formed part of the dominions of the crown, been appointed before. Such is the influence of his noble patron; such is the manner that the most pressing and important services of the state are discharged in exigencies of the greatest moment; and such are the objects of favour and patronage under the present administration.

His Lordship slightly touched upon the loss of Dominica, St. Vincent's, and Grenada, which bore every appearance, he said, of treachery, as well as folly and neglect. It was of very little consequence to the nation, whether the dominions of the crown were really acceded by private treaty, or left in such a defenceless state as first to invite the attack of an enemy, and when the attack should be made, to render any kind of resistance whatever no better than an ineffective effort of temerity and despair. Among several other instances, he selected the following, to prove that this general charge was not ill founded.

The transports with the troops from New York, destined for the attack of St. Lucia, escaped but by a single day falling into the hands of Mons. D'Estaing; and if Admiral Barrington had not committed a breach of orders, by coming to assist in the reduction of that island, in either event the detachment under General Grant, destined for that service, must every single man of them have been made prisoners; and even as it was, if it had not been for the uncommon skill, bravery, and cool

cool resolution of Admiral Barrington, his inferior squadron, as well as the troops then engaged in operations on the island, must have all been captured, and submitted to one common captivity.

He passed the highest eulogium upon the conduct and military character of that gallant commander, and lamented that the services of such a man should now be necessarily withheld from his country. But as it was its misfortune to be cursed with such a ministry, acting under such a system, so it was to be lamented, that every man of professional ability almost in the nation had, by the intrigues and blunders of those who composed administration, been driven from the service.

His Lordship seemed to censure the conduct of General Grant greatly, for remaining inactive at St. Lucia for so many months, which island, he understood, proved a kind of grave to one half almost of a body of the finest and best disciplined troops in the world, and that just in the neighbourhood of those islands which our enemies possessed themselves of, St. Vincent's and Grenada, which once formed part of the dominions of Great Britain, but now he feared would for ever be annexed to France; whereas, if the force under that General's command had been properly distributed among the islands which were most unable to defend themselves, both Grenada and St. Vincent's would most certainly, he believed, be in our possession at the instant he was speaking. He did not mean to throw any direct censure, or make any specific charge on the conduct of the General whose name he had mentioned. He spoke not upon any particular information, and judged merely from appearances; but till he was better informed, which he hoped their Lordships shortly would be, he must continue to think the General's conduct very extraordinary, and as such, it ought, and he hoped would, as well in regard of that gentleman as the nation at large, be fully and satisfactorily cleared up.

His Lordship recurred to the system of government which had been gradually forming since the accession of his present Majesty, and he feared was now finally established. Ministers were no longer responsible; for notwithstanding the firm assurances and assertions he had heard from the noble Earl that day come into office [Hillsborough] and the noble Viscount in the green ribbon [Stormont] some short time called into his Majesty's councils, he heard nothing sufficient to induce him to change his opinion. The noble Earl talked of an "equal trade;" the noble Viscount of "some concessions:"

sions :” Did not these two phrases stand in direct contradiction to each other, and both to the claims of Ireland ? If the noble Lords were sincere, it furnished an additional proof that they had introduced division into the cabinet the very moment they entered the door of it ; it shewed that responsibility, as far as it related to individual opinion, was a fallacy ; and that either the noble Lords had been imposed upon themselves, or had endeavoured to impose upon that House and the nation, by holding out a mock delusive responsibility to the nation. Suppose for instance, that “ some concessions” were to be made to the people of Ireland ; would that meet the ideas of the noble Earl ? or would he undertake to be responsible for quieting the people there, when his Lordship was persuaded that nothing short of an “ equal trade,” which they were, in his opinion entitled to, would effect so desirable a purpose. On the other hand, would the noble Viscount in the green ribbon, should the noble Earl’s ideas correspond with those of the cabinet and parliament respecting an equal trade, where would then be the noble Viscount’s responsibility, when his opinion extended no farther than “ some concessions.” His conclusion from the apparent contradiction in the opinions of the two noble Lords, and the language they respectively held, he contended that the people of Ireland would be mad and foolish to the extreme to trust to such loose assurances. What they said therefore could not be the language of the cabinet, because, if the measure was already decided there, it must have been uniform and correspondent ; if it was not, it amounted to no more than the particular opinion of an individual Lord, on which Ireland, it was evident, could not safely rely.

The noble Lords, it was plain, had been desired to hold the language they respectively did ; and that was all that was required of them : they might, therefore, well talk of responsibility : for the worst that could befall them was, that after the favourite point was gained, that of creating a delusive confidence in the people of Ireland, all they had to do was to make a formal resignation ; and there would be an end at once to their promises and responsibility. The system of secret advisers would continue in full vigour, and other persons would be selected to do the next dirty job, which the devisers of this baleful and accursed system wished to carry into execution.

For his part he saw no prospect of redress, or of the dissolution of that system, till parliament ceased to support every measure indiscriminately which came recommended by the ser-

vants of the crown. The same ruinous effects must continue to accumulate, till Parliament should once more resume its inherent and constitutional functions, that of judging of the conduct of ministers through the medium of their own understandings, by learning to see with their own eyes, and not through the false medium of party views and strong recommendations, which should never come from that quarter whence they were supposed to originate. The present struggle in parliament was not a struggle for power, places, and emolument, he would add, perhaps on either side of the House: the true question then for their Lordships and Parliament to decide was merely this: Has the nation been well served? Is it likely to be better served? If not, it behoved their Lordships, as the great guardians of their own honour, and of the nation at large, to take nothing upon trust; to examine and enquire into the causes of the present calamitous situation of their country; and endeavour to adopt some plan, suited to their wisdom and integrity, in order to amend and set right, as far as lay in their power, what has been already wrong, and avert the accumulation of still perhaps much greater evils.

His Lordship concluded his speech with testifying his happy concurrence in the amendment proposed by the noble Marquis.

Lord *Stormont* arose a second time, in order, he said, to reply to several parts of the speeches of the noble Lords who spoke lately in the debate [Lord Lyttelton and the other noble Lord who had just sat down.]

The noble Lord who spoke first had charged him with calling the amendment an invective on his Majesty's government. He was ready to repeat the expression; for he was free to say, that he had not heard a syllable sufficient to induce him to alter his opinion. He did not wish to be understood as charging the noble Marquis with a designed invective; but still the effect appeared the same to him, in a parliamentary light, whether it originated in design or mistake. The same noble Lord had much insisted upon the prospect of a noble Earl, a relation of his [Mansfield] coming now forward, and assisting the new Secretary with his counsels. His noble relation's presence prevented him from declaring his sentiments on the occasion, nor could he see what the noble Lord's hopes and pretended well wishes meant. This, however, he could affirm, that whatever deference he might entertain for the noble Earl's counsel and advice, his conduct would be determined always by his own judgment.

The

The noble Lord who spoke last, had suggested that his sentiments in regard to Ireland were totally repugnant to those of the noble Earl that day come into office. For his part he could not perceive the difference. An equal trade might surely be deemed a concession; but what that concession might be would not be decent to exactly describe till the state and interests of both countries came regularly under the deliberation of Parliament. In the present immature state of the business it was impossible to foretel what would or would not be proper to concede or grant; nor could it even be guessed what particular line of measures it might be prudent to pursue.

As to the frequent allusions and animadversions that had been made in the course of the debate, on an observation of his relative to a passage in the address, recommending new councils and new counsellors, all he could say was, that he by no means intended to make the particular application it was understood by some noble Lords to convey respecting individuals. All he meant to intimate was, that if new counsellors should succeed to those now in his Majesty's councils, that the friends of and those who acted with the noble Marquis would be probably their successors. He had not the most distant intention of pushing the observation further, nor did he think it could bear any other interpretation but this: that if the present ministry should be removed, they would be succeeded by the noble Lords on the opposite benches and their friends.

Lord *Townshend* entered into the affairs of Ireland very fully; spoke much of their loyalty, and their attachment, and affection for this country. He said they deserved every attention and indulgence which could possibly be shewed them. At a time when their trade was rather on the decline, they encreased their military establishment, in order to encrease the force of the empire, and strengthen the hands of government. Their seamen and soldiers had contributed to the victories of the late war, and to all the preceding wars since the Revolution; and since America was lost, for he was free to say, that the ability of this nation was totally inadequate to coerce that country, he most earnestly recommended to their Lordships and the King's servants to adopt some speedy, effectual, and specific measure which might promise to give the people of Ireland immediate relief. The moment was critical, and whatever was done should be speedily done, as had been observed by the noble Lord who spoke early in the debate [*Lyttelton*.]

He was of opinion that the American war, however necessary in itself, or practicable at the commencement, had become, through mismanagement at home, and adverse incidents abroad, totally impracticable. On this ground he would urge, and wished to strongly impress this important consideration on their Lordships' minds, supposing that we should not give full content and satisfaction to Ireland, and that no such consequences as had been predicted by the noble Lord who spoke early, [Lyttelton] or the other noble Lord who had spoke last but one, relative to resistance, a claim of independence, &c. yet this would most certainly happen. Ireland, cramped in her industry, without employment, and actually unable to stand up under her oppressions, would become a burden to this country. Her inhabitants would, in quest of freedom, and an unshackled trade, emigrate in immense numbers to America, and carry with them their manufactures, which, though not arrived at the state of perfection which they were brought to in this country, were far from being in such a state of infancy as many of their Lordships might be led to imagine.

The linen manufacture, the printing branches, &c. were already carried to almost the utmost pitch of excellence. So were the higher branches of the iron and steel; and there were woollen cloths of almost every fabric manufactured in Great Britain, manufactured in Ireland; and by the advantage of a free trade, which would be the case in America, he had little doubt but the artificers of Ireland, carrying their mechanical arts to America, where improvement would be the natural consequence of encouragement, that Great Britain would by these means transfer those manufactures, and the commerce arising from them, to America, no longer part of the dominions of Great Britain, from Ireland, whose prosperity would prove of as much substantial benefit as if enjoyed by any one county or larger district within the realm of England.

His Lordship dwelt a considerable time on the subject of national economy; said some pointed things against administration about the waste of public money, and the ineffectual uses to which it was applied; and concluded with declaring that he knew of no expedient which would serve to relieve us out of our present difficulties, but, in the first instance, granting immediate and substantial relief to Ireland, and the getting rid as soon as possible of the American war.

Earl of *Effingham* recapitulated the various measures taken respecting the American war, in its several stages; reminded the predictions which had repeatedly come from that side of
the

the House on which he had the honour to sit; and of the uniform completion of the predictions alluded to. He would not have troubled their Lordships with matters which he had every reason to suppose they had a perfect recollection of, were it not that scarce a single day passed in which some former prediction was not fulfilled, or that the circumstances of the times did not furnish occasion for making some new one. That was the exact state of the present day. America was not so much as once mentioned in the speech from the throne, which he was authorised, by the rules of parliamentary debate, to consider as the speech of the minister. But let the speech be fabricated in what manner it might, he was persuaded that the subduing America was the favourite object and tendency of it. This country was not equal to that task when Great Britain and America contended single handed: she must have been less able when allied with France. At the opening of the last session this argument was warmly and forcibly urged, and pushed still further, on the contingent possibility that Spain would throw her weight into the scale. That event had taken place a few days before the House rose; considering all circumstances, therefore, the bad success of the last summer, both in North America and the West Indies; the alarming inferiority of our fleet to that of the combined squadrons of the house of Bourbon, aided by the encreasing marine force of America, considered; he would submit to their Lordships, and ask every individual Lord present, if there was one of them would rise, and laying his hand on his breast, say, that he conceived a rational expectation that the American war held out the most distant prospect of success? Or he believed in his conscience, that acting against such a superior force, and labouring under such a load of national burdens and various complicated disadvantages, that we should ever be able to prevail in a contest with France, Spain, and America. On these grounds of impracticability, as to the probable subjection of America, and to the concealed though discoverable intentions of prosecuting that war, which he perceived in the speech he had that day heard from the throne, he was ready to declare, that he highly approved of the amendment moved by the noble Marquis.

The Duke of *Richmond* stated shortly the present calamitous situation of this country; and hoped and wished to believe that the despised and humiliated condition it was fallen into was more the effect of ignorance and incapacity of those entrusted with the administration of the executive power than any settled or fixed determination in them to be-

tray the trust committed to their charge. His Grace pointed out a variety of circumstances, in proof of the charge of ministerial incapacity, in point of deliberation in respect of not being well informed, or if informed, not making use of the intelligence they received. This he enumerated in a variety of instances, external and internal, respecting the navy and army, from which he drew this inference, that the councils and counsellors of the kingdom, according to the purport of the amendment, must be changed.

These general reasonings he applied particularly to the management of two official departments, the naval and military; to the misconduct of which he attributed all the misfortunes and disgraces which had befallen us, considering the latter as originating from a cause equally fixed and operative; fixed, because the first Lord of the Admiralty, be his delinquency ever so great, his errors ever so gross, his fallacies ever so palpable, was certain, at all times and upon all occasions, of being protected from censure and punishment by a great majority in parliament.

After having stated in this exordium the two principal points he meant to speak to, his Grace proceeded to apply them personally to the real objects of his censure. The first Lord of the Admiralty, as well in respect of the importance of the naval department over which he presides, as the particular administration of the affairs and business arising in that department, claimed, he said, his first attention. He confessed his astonishment that the noble Earl was not ashamed to stay in office, when every day's experience afforded fresh proofs of his total unfitness for that important station. He, indeed, should be much ashamed to continue in a situation, in which he must stand between the endless mischiefs which are suspended over this devoted country, and its salvation; and when he must know, if for no other reason, that by keeping his post he deprived his country of the only means, under God, which could rescue it from the inevitable destruction which seemed to await it, that of keeping some of the ablest and most distinguished naval characters England ever could boast of, from offering their services. He did not wish to enter into particulars, but he confessed he could not avoid mentioning the names of a Keppel, an Howe, an Harland, a Pigot, and a Barrington. The truth was, that those great officers were determined never to serve under his Lordship; and that if no other reason existed it was a sufficient motive with him, and a very strong one for his Lordship to resign, when he reflected, that continuing
in

in office, deprived his country, at a moment of peril, of its best support and surest protection.

His Grace reminded the noble Lord of the cause of the nation being plunged into all the risques and dangers of a foreign war waged by a superior enemy, which was his Lordship's confident assertions, in reply to many noble Lords at his side of the House, who, upon various occasions, and in the progress of the American war, suggested their apprehensions with a greater or less degree of certainty as circumstances arose of the possibility, probability, nay certainty, first of a French, and afterwards of both a French and Spanish war. What on these occasions was the uniform answer of the noble Lord, varied, perhaps, in some instances, but was substantially the same: "that any first Lord of the Admiralty, who had not always in readiness a fleet equal, if not superior to the House of Bourbon, ought to lose his head," or, "no minister was fit to preside at the Admiralty-board, who should not have a fleet ready at all times, equal to cope with the united fleets of France and Spain;" with several other expressions of the same kind, all tending to the same point, but, perhaps, couched in different expressions.

He did not wish to shew the fallacy and deception of this assurance in regard to remote retrospective events; the use he intended to make of it upon the present occasion, was to apply it to the transactions of the last summer. Had the noble Earl performed his engagements to that House and the public in the course of the last summer? Was Sir Charles Hardy superior to the combined fleets of France and Spain in the Channel during the last campaign? On the contrary, was not he shamefully inferior? Did not a British fleet, in the sight of their own coast, fly before an insulting and triumphing enemy, and were there not circumstances of humiliation and disgrace attending that flight, which must fill the breast of every Englishman with the best founded resentment against the authors of it, and the utmost pain and mortification of the loss of honour which followed? Was not the Channel deserted by Sir Charles Hardy, and Plymouth left at the mercy of the enemy? and when the Admiral at length endeavoured to pass by the enemy, did not he fly from them, and by so doing, leave an indelible disgrace upon the British flag? Did not the same Admiral, he presumed, in obedience to the instructions given by the Admiralty-board, or from the King, by the advice of his confidential servants, for he by no means meant to even insi-

nuate any thing personal against the commander of the grand fleet) delay his going to sea so long, that it was not afterwards in his power to prevent a junction between the combined fleets? He did not leave Spithead till after the French fleet had sailed from Brest; and when he did sail, what did he do next? He sailed to Torbay; and, as if his instructions meant to prevent a possibility of success, in defeating a junction of the French and Spanish squadrons, he remained at Torbay and the mouth of the Channel, till the French might have reached Ferrol, and the combined fleets have appeared off our coasts before he cleared the mouth of the Channel. What was next done? Instead of staying in the Channel, where after the junction had been effected, or was likely to have been effected, without a possibility of prevention, what did he do? He deserted the Channel, as he observed before, for upwards of five weeks; and when he did return, he returned only to exhibit a spectacle never before recorded to have happened in the English annals: he fled before a pursuing enemy, by gradual progresses, from the very mouth of the Channel to Falmouth, Plymouth, Portland, to St. Helen's; and as if an universal panic had seized the whole fleet, he did not look upon himself safe, till, by the aid of the next tide, he found himself safely moored at Spithead.

His Grace brought forward these charges in a great variety of lights, and urged them in as great a variety of shapes, and then proceeded to take a view of the conduct of our operations on land, in point of preparation, in case our fleet should not be able to give us a sufficient protection, or should meet with any disaster from the confessedly known superiority of the enemy.

This part of his speech, he gave notice, would particularly and personally affect a noble Lord, now in his place [Amherst] for whose professional abilities and general character, he was always inclined to pay every possible degree of respect; but whatever prejudices or impressions might have been made on his mind, his duty prompted him to speak out upon the present occasion. He was above complimenting any man, while there was sufficient ground for even doubting of his conduct; and silence would be criminal, when he conceived the interests of his country, and those of the most pressing nature, concerned.

He hoped the noble Lord, he meant the noble Lord at the head of the army, would be able to give full satisfaction to the House, relative to the state of Plymouth, the time the
com-

combined fleets appeared off that place. Frequent and strong warnings had been given in that House, in the course of the last eighteen months, of the importance of that fortress, both as the land and marine key of the kingdom, and still, if possible, more so, as the second naval arsenal in the kingdom; and one of the places where, probably, one third of our naval stores, and the materials from which future navies were to be built were deposited. He did not wish to insinuate that the noble Lord had not attended to the peculiar circumstances which he alluded to, and the vast importance of the place; he only alluded to them in this manner, to bring to their Lordships' recollection, that the security of Plymouth, and the necessity of putting it into the best state of defence possible, had frequently furnished a subject of conversation in that House. The subject called for their Lordships' utmost attention, not in regard to what happened, the danger was passed for the present, but what might hereafter happen. It was therefore become highly incumbent, after what had gone forth, for the noble Lord, or those to whom the defenceless state of Plymouth was apparently imputable, to shew where the blame originated; for certainly blame was due somewhere; for had the enemy thought fit to attack it, Plymouth must have certainly fallen; and whoever the person might be who was found to have been neglectful of his duty, or unequal to the proper discharge of it, he ought to be brought to the most exemplary and condign punishment or disgrace; for the eventual consequences which must have proved so fatal to the national honour and the national interests. The loss of Ireland, in a general, political, or commercial view, might be worse; but when balanced at a particular moment, as perhaps decisive of the war, and our existence as an independent nation, it would, in the eye of reason and good policy, appear light in the scale.

His Grace informed the House, that he was in the neighbourhood of Plymouth at the time and soon after the sudden terror subsided, by the presence of the enemy, created in the inhabitants, and he was never more astonished, than when he beheld it, as a professional man, weak and defenceless as it was. There were guns and shot, but neither the one nor the other answered; but if there were guns and shot, all pieces of what are called small stores, were totally wanting; there were neither handspikes to work the guns, or give them the necessary direction, nor wadding, rammers, sponges,

part made, when the counter orders came. What was the purport of the counter orders? That vessels should be sunk in the Channel—Let their Lordships attend to the option made by the admiralty-board.—The boom could be opened so as to permit ships to pass in or out, in an hour and a half, or two hours, and replaced in half the time; whereas, if vessels had been sunk in the Channel, they might, if practicable to weigh at all, take as many days; and if that should not prove to be the case, the consequence would be, that no vessel could get in or out, and our fleet, had they met any disaster, either by bad weather, or in fight, would be shut out from the only place where they could expect or look for protection or shelter.

His Grace computed, that besides the possible injury which the inhabitants of the town might have suffered, in the loss of property, the stores, shipping, docks, &c. might be well estimated at a loss equal to *five* millions, attended with this circumstance, that the mere loss of property was not the object, but the difficulty, if not impossibility of repairing it in due time. From whence could we procure the necessary supplies of timber, stores guns, sails, rigging, &c.? The attempt would have been impracticable; and though we had not lost a single ship of the line or frigate, the capture of Plymouth, or rather its destruction, would in fact amount to an annihilation of the navy of England. He was aware, that many matters which had been adverted to by him, relative to the state of Plymouth, concerning its accessibility in respect of an enemy, ought not apparently to have been mentioned; but when the transactions of the last summer, and the shameful conduct and neglect of ministers, in a matter of such transcendent importance, was properly weighed and considered, he imagined, that what he now said, would pass at least without censure. He begged leave to remind the House, that even before the French Rescript was delivered, and to the conclusion of that session and the whole of the next, the state and condition of Plymouth, and the absolute necessity there was of putting it in a most perfect and complete state of defence, was frequently urged by noble Lords on his side of the House, in which warnings himself had taken a part. What was the consequence? The summer of 1778 passed without any one precaution having been taken. The admonitions were repeated in the succeeding session, but to little or no effect; yet the great and awful moment arrived, when France combined with

taken in case the enemy had returned immediately, which was every day expected? Why, instead of fortifying either Mount Tor or Mount Pleasant, which both commanded the entrance of the harbour, the works constructed were most unskilfully planned; the sides of the hills were entrenched, and lines thrown up on the sides of them, and the tops most shamefully neglected, just as if the enemy, if possessed of the commanded heights, would not, as a consequence in military effect, have soon rendered the situation of those on the sides of the hill, in a very few hours, untenable; unless at the risk of the destruction of those who staid in them, who could only remain there to be annoyed, without a possibility of annoying their assailants.

It might be said, that though the heights were not defended, that it would have been very difficult for the enemy to effect a landing; the extreme steepness of the coast and sudden rise of the land near the shore, would enable a small force from taking maintainable ground against infinitely a greater. This was as untrue, and ill-founded, as any thing else which was or might be urged to palliate the above-mentioned shameful neglect. The fact was this; that about ten miles westerly of Plymouth, the coast was low, and a safe debarkation ensured even by the frigates destined to cover the landing; and when the force was once landed there was nothing to prevent it from possessing itself of one height, and then of the other; the inevitable consequence of which must be, the total destruction of the town of Plymouth, its docks, rope-houses, &c.

After speaking to this point very fully, his Grace returned to the subject of the defence of that town, so far as the admiralty-board was more immediately concerned. He said, in the exigencies of the moment, that the commanding officers, Lord Shulldham, Sir John Lindsay, and Commissioner Ourry, consulted for the safety of the place; various means of sea defence were suggested; it was at length agreed to throw a boom across the narrowest part of the Channel, to prevent the too near approach of the enemy. What did the wisdom of the admiralty suggest in the mean time? Hearing of what was intended, they dispatched a trusty person, whom they selected, as peculiarly fitted for the purpose, to countermand the intentions of the naval and military officers; a captain Le Crasse, a kind of spy, for he assured the noble Lord at the head of the army, there was spy upon spy, for that was the system of government. The boom was in

part

part made, when the counter orders came. What was the purport of the counter orders? That vessels should be sunk in the Channel—Let their Lordships attend to the option made by the admiralty-board.—The boom could be opened so as to permit ships to pass in or out, in an hour and a half, or two hours, and replaced in half the time; whereas, if vessels had been sunk in the Channel, they might, if practicable to weigh at all, take as many days; and if that should not prove to be the case, the consequence would be, that no vessel could get in or out, and our fleet, had they met any disaster, either by bad weather, or in fight, would be shut out from the only place where they could expect or look for protection or shelter.

His Grace computed, that besides the possible injury which the inhabitants of the town might have suffered, in the loss of property, the stores, shipping, docks, &c. might be well estimated at a loss equal to *five* millions, attended with this circumstance, that the mere loss of property was not the object, but the difficulty, if not impossibility of repairing it in due time. From whence could we procure the necessary supplies of timber, stores guns, sails, rigging, &c.? The attempt would have been impracticable; and though we had not lost a single ship of the line or frigate, the capture of Plymouth, or rather its destruction, would in fact amount to an annihilation of the navy of England. He was aware, that many matters which had been adverted to by him, relative to the state of Plymouth, concerning its accessibility in respect of an enemy, ought not apparently to have been mentioned; but when the transactions of the last summer, and the shameful conduct and neglect of ministers, in a matter of such transcendent importance, was properly weighed and considered, he imagined, that what he now said, would pass at least without censure. He begged leave to remind the House, that even before the French Rescript was delivered, and to the conclusion of that session and the whole of the next, the state and condition of Plymouth, and the absolute necessity there was of putting it in a most perfect and complete state of defence, was frequently urged by noble Lords on his side of the House, in which warnings himself had taken a part. What was the consequence? The summer of 1778 passed without any one precaution having been taken. The admonitions were repeated in the succeeding session, but to little or no effect; yet the great and awful moment arrived, when France combined with

A. 1779.

D E B A T E S.

89

with Spain for our total destruction.—Nevertheless, ministers, but more particularly the noble Lord at the head of the army, in whose peculiar province it was, not only proved inattentive to the warnings given him, but to the discharge of his own peculiar duty. He proved deaf or inattentive to either, and the place, in military language, was in fact abandoned; the heights which he already mentioned, if possessed by the enemy, which they might with the greatest facility, were in fact the keys of the town.—There was something extremely unaccountable and mysterious in the business throughout.—A noble Earl who was then in his place, though he had not the honour of his intimate acquaintance, but for whom he entertained the highest respect [Lord Waldegrave] was governor of that town, and he could not say, but he was much surprised, that the noble Earl, on the first alarm of an attack, did not repair to his government. He was persuaded that it was not for a want of zeal, alacrity, and military spirit, he did not. He was too well convinced from experience, that the noble Lord was not deficient in any of the requisites which form the soldier. He had the pleasure himself of seeing him lead up six British regiments, at the battle of Minden, who, by their almost unassisted efforts, defeated the whole French army. Why his Lordship did not repair to his duty, must be sought for in other causes concealed from the public eye. A right honourable member of the other House, a lieutenant-general, he begged pardon, he believed he was a general [General Conway] quitted his duty in Parliament, and repaired to his government [Jersey] upon much less alarm, and to protect a place of infinitely less importance; consequently he was well warranted in saying, that the noble Lord absented himself from some motive which affected him as a military man; possibly, nay probably, the noble Lord foresaw, had he gone to Plymouth, and the nature of the service should require the presence of the commander in chief, that he must submit to obey the orders of a junior officer.* His Grace, after insisting upon this theme for some time longer, and giving broad hints that the appointment of the noble Lord at present

* There are ten junior officers between Earl Waldegrave and Lord Amherst, namely, the Duke of Gloucester, Sir George Howard, Sir R. Rich, Sir Joseph Yorke, General Belford, Lord Robert Bertie, General Honywood, Duke of Argyll, General Fitzwilliam, and General Ashe.

at the head of the army, was contrary to the rules of service, when such men as the present governor of Plymouth stood higher than he on the list, returned again to add some further observations on the conduct of the commander in chief, as to his professional conduct, and ability, particularly relative to the lines thrown up after the appearance of the enemy off that place. The noble Lord was on the spot, viewed the works, gave orders for the purpose, both before and after that above mentioned period. The first time, before Monsieur D'Orvilliers made his appearance, he had viewed the works, and he could not help declaring, as far as his slender knowledge and experience led, the works, at both periods, were miserably planned, and injudiciously and slovenly executed.

His Grace next expressed great alarm at the increased military force within the kingdom. The militia and attached corps, were little short of 50,000 men; and he understood the military amounted to full as many. This presented a prodigious force indeed, no less than 100,000 men in arms, and the number was continually augmenting. This afforded to him a cause of great jealousy, or plainly pointed out to him the consummate folly of administration. If we had not a fleet at all, it was a force fully competent to the defence of the kingdom: if we had, and trusted to it, we had no occasion for so great a force. He should be well pleased to hear from the opposite side of the House, what plan the King's servants meant to adopt? If the strength of the nation was to be equally or proportionably divided between the naval and military services, neither service could be rendered effective; if an option was to be made, it was his opinion that the preference ought to be given to the navy; in short, he was himself perfectly satisfied, that our military establishment was disproportioned to the purposes of our situation; for in fact, except in the mere instance of defence, they were totally useless, unless our navy should be rendered nearly equal to that of our enemies. With a less military force, than that now in the pay of Britain, Mr. Pitt had rendered the British name immortal, and the universal object of admiration in every part of the globe. The arms of Britain had been carried triumphant every where, but that celebrated statesman looked upon the military but as a secondary object. The purport of the speech pointed out the propriety of a defensive war. He would not dispute how far such a plan of measures was or was not judicious, but surely, if the minister meant what he said, in that speech, and that our military force was as considerable

derable as it was supposed to be, it furnished him with two arguments. First, that it was incumbent upon them to have the coasts defended; secondly, if nearly 10,000 men, including the militia, were in arms in August; it was very extraordinary that 10,000 could not be spared, instead of four or five thousand, for the defence of so important a place as Plymouth; and they must surely be ignorant, or very ill informed, who supposed that Plymouth could be defended with less than 10,000 men.

His Grace then mentioned the total inattention of the cabinet, or the commander in chief, relative to several preventive measures, suggested in that House, in case an invasion should take place, relative to the lighting beacons on their approach or appearance off the coast; the driving the country, the forming magazines, the collecting the inhabitants to places of safety, &c. He observed that no one step had been taken in consequence of these suggestions, but the King's proclamation, and what was done in consequence of it?—The county he lives in [Sussex] consists of six rapes or divisions; and the orders given by the commander in chief, were perhaps the most extraordinary that it was possible for the mind of man to conceive: besides the depositories fixed upon for securing the property, had the enemy effected a landing, it would upon an average be necessary to remove about 20,000 inhabitants in each rape, to a place of safety, near such depositories. What were the places fixed upon? One was in the Wealds, which was not accessible to military carriages, for above three months during the whole year; another was a petty village, where there was not so much as an hedge-ale-house; and so with the rest, where the spot fixed upon was equally inconvenient and obscure; but to point out the wisdom of ministers, such was the perversion of their understandings, and so grossly contradictory to the professed principle and essential spirit of the measure, that, in one particular instance, the place to be driven was more distant and difficult of access, than the place fixed upon as the place of safety; because, among other reasons, the latter was nearer to the coast than the former.

His Grace, among a vast variety of miscellaneous matter, adverted to the recent appointment of the new secretary [Earl of Hillsborough] and ridiculed his pretensions to responsibility. He reminded the House of the noble Earl's celebrated circular letter, written in the year 1768, wherein he pledged not only his own word, but that of his Sovereign and the British legislature, that no more taxes would be laid on the people

people of America for the purpose of raising a revenue; nay, he went further, he instructed a noble Lord, since deceased [Lord Botetourt] then governor of one the most extensive and opulent colonies on the American continent, Virginia, to assure the council and house of representatives there, to commit the word of the Sovereign on the following strong expression, as the most sacred pledge of a due performance, by confirming the cabinet assurance contained in the letter, that "it was the determined resolution of every part of government, and every branch of the British Legislature, to lay no future taxes on America, and to inform them from his Majesty, that he would rather forfeit his crown than keep it by deceit." What was the consequence? The promise being afterwards shamefully violated, the people of America were convinced, that no dependence or confidence could be had either on the assurance of ministers, or even the pretended assurance of the King himself; for he could never be persuaded, however confidently it might be officially asserted, that the royal word would be violated, when thus solemnly given to a large and respectable body of his subjects, to answer the views of any faction, or to give success to the intrigues and cabals of a court.

If then, this was a fair state of that memorable transaction, what dependence or reliance could the people of Ireland have upon any assurance given by the same noble Lord, now standing in a similar situation, though at the head of a different department? The same noble Lord now affirms, that he means to be responsible, and solely responsible, for all the measures he recommends. Can Ireland depend upon this declaration? The noble Lord gives it as his opinion, that Ireland ought to have an equal trade. Has the noble Lord explained his ideas of what he conceives to be an equal trade? Or has not his Lordship, on the contrary, though more than once goaded by a noble Lord who spoke early in the debate [Lord Lyttelton] evaded, or avoided, giving any satisfaction on that head? Has he not shrunk back from all explanation and specification whatever, and sheltered himself, as he has repeatedly done in the case of the circular letter, under the pretence of taking the sense and wisdom of Parliament for his guide, and promising to carry whatever their determination may be, for his rule of conduct? The language it is true, was constitutional, but was it such as the people of Ireland could safely trust to? Was it not notorious, from an uninterrupted experience of many years, that whatever measures were adopted in the King's councils

immediately

immediately become the measures of Parliament, through the irresistible influence of the Crown; and did the noble Lord mean to deceive Ireland in the same manner as he had deceived America, by firm and repeated declarations of responsibility; and when Ireland had been lulled into a fatal security, resign his employments, or seek his wonted refuge by saying, that though an "equal trade" was the prevailing opinion in the cabinet, that it had been over-ruled by the sense of Parliament; or by avoiding every species of explanation, relative to what he meant by the expression, an "equal trade," meet his accusers confidently, and tell them, Such might be your interpretation of the words; such was my meaning; and if you have been disappointed, it has been your fault, not mine, who have affixed a meaning to my words which they could never bear, and was totally foreign to my intentions?

He was extremely severe on the noble Viscount [Stormont] who had charged the amendment moved by his noble friend [Marquis of Rockingham] as replete with invective; and expressed his astonishment how he could controvert facts which, by being absent from the kingdom, he could be but imperfectly informed of; or how he could charge men sedulously labouring for the salvation of their country, with factious views, or impelled by motives totally directed to the possession of power and emolument? After being up for about an hour and a quarter, his Grace expressed his full approbation of the amendment moved by his noble friend.

Lord Amherst rose immediately, his Lordship said, to justify his conduct respecting the state of defence Plymouth was in at the time the enemy appeared before it. He informed their Lordships that he had gone down early in the summer, when it was not expected that the whole of the defence would rest upon the land force, because it was looked upon that the defences next the sea and the narrowness of the Channel rendered that approach inaccessible. It is true, that if Plymouth was attacked by land the military force was not sufficient to man all the works, to defend all the avenues leading to it, nor to perform the very numerous services which would be necessary to impede and prevent the enemy from taking very advantageous situations. He agreed with the noble Duke, that to defend Plymouth properly against an attack from the land side, would require, 10,000 men; but such were the exigencies of other services, that no more than half the number could be spared for that purpose.

As to the want of stores great and small, such as powder, ball, &c. he would affirm, that when he was there at the time alluded to, there were 8000 barrels of gunpowder, balls, and every necessary requisite for a vigorous defence. If the calibres did not fit the balls, or the balls the calibres, that was not to be attributed to him. He had given general directions that the proper measures of defence should be carried into execution, and if they were not, which he did not now pretend to determine one way or the other, it was not his fault. That particular duty did not lie upon him, and he could not conceive how any failure in the discharge of it could be imputed to him as a criminal neglect.

The noble Duke had dwelt for some time on another species of neglect, or want of military skill, subsequent, as well as antecedent to the appearance of the combined fleets off Plymouth; he meant, not throwing up defences on the heights of Mount Pleasant and Mount Tor, situated on the right and left of the entrance of the harbour. He begged that his Grace, before he decided and imputed blame, would consider that the moment was pressing; that the works alluded to by the noble Duke were very extensive, and called for great labour and time in the construction; whereas those thrown up on the spur of the occasion could be finished so as to enable the defenders to impede, though not finally defeated the attempt of the enemy. The fortifying these heights would have been impossible to be completed so as to answer the purpose of a sudden defence; and in the then existing state of affairs it was thought most advisable to answer the purposes of immediate defence, rather than by undertaking too much, leave the whole of what was necessary to be done in an imperfect, unfinished state, at a time it was likely the enemy, if they meditated an attack at all, would have probably returned.

The noble Lord who spoke not long since [Shelburne] had talked much of the defenceless state of the island of Jamaica, and among other circumstances, of the great loss by sickness, which had reduced the Liverpool Blues upwards of 300 of their effective number from what they were when they departed from Spithead: to which he could only reply, that by the last returns he received, he was authorised to say, that no such communication had come to his knowledge; nor by what he could learn, instead of a loss of 300, he had reason to believe that there were not dead or deficient in the whole number above sixteen men.

His Lordship spoke to some other points; but after a sentence or two, which he pronounced in an audible voice, he spoke

spoke so very low that it was impossible to collect more than what we have related. His Lordship was called upon by several noble Lords to speak out, but to no effect.

The Duke of *Richmond* in reply observed, that every thing the noble Lord had offered in his justification served but the more fully to confirm his neglect or incapacity. What apology was it for him to say, that if neither the balls fitted the guns, nor the guns the balls, that it was not his fault? And when he was at Plymouth, antecedent to the appearance of the enemy, that he had given his directions? Was that an apology to be endured in that House? Why not see that the balls and bores did fit? Why not see, if there were powder, that it was distributed? It was no secret; indeed it was the uniform language of parliament, for some weeks before they rose, that an invasion of this kingdom was expected. It was therefore with some indignation that he heard the strange apology now made by the noble Lord, who, in possession of the first trust in the kingdom, in the dernier resort, which was the very peculiar circumstance now under consideration, could screen himself under the cover of the supposed neglect of other persons, who were by no means responsible to the nation. It was his Lordship alone that was responsible to Parliament and the people. If Plymouth had fallen through neglect, they would have called upon his Lordship, and demanded justice on him. If he had given the necessary orders, and that those who acted in subordinate situations had disobeyed them, why not come forward and speak out like a man; and like an honest man candidly confess his own error and incapacity, or fairly lay it to the door of those who were really criminal? He had heard other stories: he had heard that the officer who commanded there [Sir William Lindsay] had resigned the command there in disgust, or had been superseded; because he dared to censure the conduct of higher powers. Be it either way, the defenceless state of Plymouth was an object worthy of the investigation of Parliament. He would not, in a matter of such importance, in which he understood the fault was bandied from one side to the other, give a premature opinion; but thus much he might venture with confidence and truth, he believed, to affirm, from what he was a witness to himself, that there was a fault somewhere; and that to ascertain where it lay was a fit subject for parliamentary enquiry; that it would and must be enquired into, and then the nation would be enabled to decide, whether it was the fault of the noble Lord at the head of the army, or those who acted in subordinate command.

There was one matter which dropped from the noble Lord, which had made a deep impression on his mind, which was, that although the proper defence of Plymouth and its vicinities required a force of 10,000 men, yet the other exigencies of military service would not admit of more than 5000. He thought, without any enquiry whatever, he could venture to decide on the weight of this apology, and the attention it really deserved. How was it possible to hear it without the most just and warm indignation, if what was generally reported and believed was true, that there was a force of nearly 100,000 armed men in this kingdom, taking in every description of military, militia, fencibles, and detached corps? and was it possible that with such a force another 5000 men could not be spared for the defence of the kingdom, its sea frontier fortress, the second naval arsenal in England, containing value to the amount of full five millions, and if destroyed, which was the great point of all, must have put an end at once to the naval power, or even the naval resistance of this kingdom!

Lord *Amherst* again replied in his former low tone of voice; said he had no objection to the fullest and most minute enquiry into his conduct; that such were his directions, as had been before stated by him, and such his opinion respecting the distribution of the force; and if, upon examination, either should be found erroneous or injudicious, he was ready and willing to abide by the sense of his country.

Earl of *Sandwich* said he had no intention of rising, had it not been for some matters which had been stated by the noble Duke who spoke last.

The noble Duke had said he would be ashamed to remain in office, as he had done, and stand between the sense of the whole of the naval officers and the salvation of his country. He could not agree with the noble Duke, either as to the fact or inference. The noble Duke explained himself further, by saying that all the brightest, most able, and judicious naval commanders had been driven from the service, and refused to serve so long as he remained to preside at the Admiralty Board. In explanation of this, the names of Keppel, Howe, Harland, Pigot, and Barrington, had been particularly mentioned. He would first premise, that if his immediate resignation held out the most distant prospect of extricating this country out of its present difficulties, he would most cheerfully and gladly make way for a more able successor; and as to the point of refusal to serve under his administration, he was certain that the noble Duke was misinformed: for he had

an

an offer of service from one of the persons mentioned [supposed to mean Admiral Barrington] that very morning, or the day before; he did not know whether the offer would be accepted under the existing circumstances, but this he could assure the noble Duke, that this was at least one exception to his general assertion, and he had little doubt but more might be given.

Much had been said in the course of the evening of the inferiority of the British fleet, to that of the combined naval force of the House of Bourbon; the fact might be, and occasion had been taken to refer, which was extremely disorderly, to what was supposed to have fallen from him in a debate some years back, such as, that he said a minister ought to have, and that a minister who had not a fleet fit to cope with, if not superior to, the united force of the House of Bourbon, ought to lose his head. He had often explained this matter, and therefore little expected to hear it repeated. What he said then he was ready to repeat, which was, that administration ought to have at all times a fleet equal to cope with the united force of the House of Bourbon. It was true, misrepresentations of what he really said got into the newspapers, and, what surprised him much more, had frequently been repeated by noble Lords on the other side of the House.

A noble Earl who spoke early [Shelburne] and other noble Lords who followed him, had asserted, that the British fleet had run away from a pursuing enemy; this was what he never would hear without following it with a contradiction. It was true, that Sir Charles Hardy, discovering the vast apparent superiority of the enemy, did not seek an engagement, nor would it have been prudent for him if he had. He retired, unmolested, eastward, to a part of the Channel where he could best bring his force to bear to greater effect; and where too, if a victory on our part should be the consequence, the enemy would be more exposed to destruction, as being farther from the main sea, and that part of their own coasts where they could take shelter.

So far then from imputing any blame to the Admiral who commanded the western squadron, in his opinion, his King and country were highly indebted to him. On the other hand, only consider the risk Sir Charles Hardy would have run in case of a defeat; no less, perhaps, than the very fate of the country would be depending, in a great measure, on the issue! It was to this commendable conduct he ascribed the paltry

figure

figure the combined fleet had made throughout the whole of this marine gasconade; they first came into the Channel, and went off in a precipitant manner, and the second time, though they saw the British fleet, and might have fetched them with ease, having the wind in their favour, they declined the combat, and after a very few days were not seen nor heard of more till their arrival at Brest.

“ The King of France, with twenty thousand men,

“ Went up the hill, and so came down again,”

Was an old observation fully verified by their conduct.

This was the idle useless parade made by France in our Channel through the course of last summer; and upon this state of facts and the consequences, he could appeal to noble Lords, whether there was any thing degrading or disgraceful in the conduct of Great Britain, considering the monstrous disparity of force, of sixty-six Spanish and French ships against thirty-seven British; and if by acting with so much circumspection, with a shew of spirit unaccompanied with any real intention of coming to battle; the combined fleet with such a vast superiority of force, gave the most indubitable testimony to the bravery, undaunted, persevering spirit, and the superior skill and ability of the British officers and seamen.

Much had been said respecting the state, condition, and degree of preparation Plymouth was in at the time the French appeared off the harbour, particularly by the noble Duke who spoke last. He would undertake to say, that the noble Duke was misinformed, if he contended that Plymouth harbour and the Channel were not well fortified; it was so well fortified, that the whole combined fleet could not enter the narrow Channel, which is winding and extremely narrow in some places, commanded by the heights on each side, and by batteries on a level with the water; but even if all these obstructions had been removed, it would have been very easy to stop the passage, so that not a ship could come within such a distance, as would enable them to destroy the docks, shipping, naval stores, rope-houses, &c. He was assured of this circumstance by several officers, both naval and military, he had often seen and passed through it when he went to visit the dock-yards, and by every thing he had ever heard on the occasion from professional men, as well as by what he could judge himself, the town, docks, arsenal, &c. were perfectly secure from an attempt or attack by sea.

The noble Duke had insisted much on the inadequacy of the land force to the defence of the place, had it been attacked. That was a matter not immediately within his department, but he was persuaded that a force might be collected so as to resist and defeat any sudden attack from the enemy; it is true, the town was defended chiefly towards the sea, and if the works which had been described as necessary by the noble Duke, were not constructed on Mount Tor and Mount Pleasant, it was on the prevalent idea, that the place was impregnable to any attack from the sea, and that it would be extremely dangerous and difficult to effect a landing on any part of the coast near Plymouth, the coast being steep, and in many places inaccessible to the invaders, if troops should be in force to oppose them.

Several noble Lords had pointed out the great inferiority of our fleet; the fact was true in point of number of line of battle ships, but, in his opinion, not with respect of efficient strength, of which there needed no better proof than the events of the campaign itself. Noble Lords had likewise called upon him to declare whether we should be equal to the enemy the next campaign? This was a matter to which it would not be prudent to give a specific answer; he wished to give their Lordships every satisfaction in his power that his duty would permit; farther their Lordships, he presumed, did not mean to go. He could say thus much, that the fleet of Great Britain was now in a more formidable and respectable state than it had been at any time since the foundation of the British monarchy; and was composed of a more efficient force, considering the size and the condition of the ships, weight of metal, and the number of men borne; the latter, by the latest returns, were 87,000, which was higher than it was during the last year of the late war; the number of ships of the line was eighty-eight, which was somewhat short of what was in commission, part of the time alluded to, the number being then ninety-six; six ships more would shortly be put in commission, and what farther exertions might be made in the course of the spring was not fit for him to tell; but he could venture to say this, that both in point of number, size, weight of metal, men, outfit, and equipment, the navy of England, at the opening of the next campaign, would exceed every thing of the kind this country had ever beheld.

The noble Duke who spoke last, had said, that there were but thirty-six gunners or matrosses to work all the cannon at Plymouth. In this too his Grace had been grossly misinformed;

formed; for there were upwards of 500 seamen in the town, not one of whom was unacquainted with the management, use, and working of the artillery. He spoke in the hearing of many Lords acquainted with the land service, and appealed to their judgment, whether in operations on land, men were not taken from aboard the ships, purposely to assist in the raising and constructing of batteries, working the guns, &c. and he made no doubt, that if occasion had made it necessary, but the seamen then at Plymouth, would have fully answered the purpose alluded to by the noble Duke; and that if the French appeared there would be no reason to complain of a want of hands to work the guns.

The noble Duke had talked in very strong terms of the loss of the *Ardent*, and imputed the loss of that ship to the neglect of the naval commanding officer at Plymouth, and said an enquiry ought to be made into the loss of that ship. To this charge he would give two answers, the first would be, that his Grace was mistaken in the fact, for a cutter had, as soon as the French fleet appeared off the Ram-head, been dispatched eastward, though she was not so fortunate (or could not) as to meet with Captain Boteler; the other was, that Captain Boteler was still a prisoner in France, and could not be amenable to answer for his conduct, till exchanged by cartel or otherwise: whenever that event should take place, Captain Boteler would, according to the usage of the service, be brought to a court martial for the loss of his ship; at which time all the circumstances and causes of that fatal accident would of course be fully explained.

His Lordship spoke to a great number of particulars of less importance, and said he would give his negative to the amendment moved by the noble Marquis, because it was totally unprecedented in the annals of Parliament, and would give his assent to the address moved, as it so exactly corresponded with his ideas on the present posture of affairs.

Lord *Townshend* laughed at the assertion of the noble Earl who spoke last, as to the use of seamen manning regular works, and their skill in pointing cannon and managing batteries, &c. Gunnery, he said, was a science, and was conducted upon mathematical principles reduced to practice, and only to be acquired by long habit and experience. Supposing that the seamen, mentioned by the noble Lord, had all served aboard a ship in the capacity of gunners, which he presumed his Lordship did not mean even to insinuate,

much

much less have ventured to assert, the mode of managing guns aboard ship was totally different. The ships were in constant motion; no regular aim was or could be taken; the guns were discharged by chance, or fired at random; and even then there was a man of some skill and experience placed at every gun, a species of skill and experience however, which would be of no use or effect on shore, farther than the mere manual assistance, than what might be derived from a soldier taken from the ranks, who in a few hours could be taught to ram, sponge, &c.

The Duke of *Richmond* went over a great deal of his former ground; he said he was well persuaded, however confidently the noble Earl might assert the contrary, that the *Ardent* was lost through neglect and nothing else. He heard the noble Earl, with astonishment, defend the conduct of the persons at Plymouth, whose duty it was to give Captain Boteler notice, and that a cutter had been dispatched to inform that gentleman, that the French fleet were in the Offing. Was not the combined squadron in view? Was not Captain Boteler in view? Why not dispatch a boat to inform the captain of his danger, and warn him that the fleet in view, which he might be led to think was that of Sir Charles Hardy, returning from his station off Scilly, was the combined squadron under Mons. D'Orvilliers?

With regard to what the noble Earl had said, in respect of the narrowness of the Channel, the impracticability of the enemy forcing its way up it, all he could say was, that from the evidences of his own eyes, he was authorised to say, that the defences next the sea were as weak and injudiciously constructed, as the land defence was injudicious and ineffective. There were, in the first instance, neither gunners, ball, nor small stores. On St. Nicholas Island, there were no more than five guns; and as for the battery next the narrow Channel, in which the noble Earl rested the sole strength of the place, the battery was so constructed, that the breeches of the guns were turned to the Channel, and their mouths to the sea upon shoal water, where no ship of force could get, for want of a depth of water.

His Grace made several observations on the kind of defence set up by the noble Lord at the head of the army; he said he was ashamed to hear the noble Lord make so flimsy a one, as that balls, powder, &c. were there; and that if care had not been taken by those in subordinate

command to be in a proper state of preparation, it was not his fault. The contrary was true. It was the noble Lord's fault, and his only; and had the place fallen, it was he, and he only, that would have been responsible. He condemned his Lordship's conduct throughout; said the works he ordered to be raised were injudiciously planned, and delayed too by a frivolous attention to neatness and precision, by no other means calculated for a sudden resistance, but it was not the noble Lord's inattention to the two commanding heights, though that alone afforded strong grounds for impeaching his professional judgment, nor the ill-concerted plan of the works; the noble Lord had neglected other particulars, which had they been properly attended to, would have given more obstruction to the enemy, in regard to a sudden attack, than any thing which had been yet mentioned; he meant a little bay or landing-place, a few miles to the westward; an expression of the noble Earl at the head of the admiralty, had brought it fresh to his recollection, when he spoke of the boldness and inaccessibility of the coast. The place he alluded to was neither bold nor inaccessible; and an enemy in any degree of force might have landed there without hindrance or molestation; might have afterwards possessed the heights of Mount Tor and Mount Pleasant, and have constructed such batteries, without any assistance or co-operation from their fleet, as must have left Plymouth at their mercy, and obliged the garrison to surrender without firing a single gun.

Lord *Amherst* rose again, but spoke so low that it was almost impossible to hear what he said, though again frequently called upon to speak out. By what we could imperfectly understand, he said, the general officer who commanded at Plymouth, [Sir David Lindsay] had resigned out of choice, not from any motive of disgust; there was nothing he more sincerely or anxiously wished, than that an enquiry should be made into his conduct; and if there should be found any thing reprehensible or blame-worthy in it, to abide the judgment of his country. He said a few words in reply to Lord Townshend, in which he controverted some of the opinions laid down by that noble Lord, respecting the use which seamen might be of, when matrosses could not be had to work and fight the guns; and said, the noble Duke who had so peremptorily condemned the works, both in point of plan and construction, would find, that they were much better calculated for the purpose of a sudden defence, than his Grace then seemed willing to allow.

Lord

Lord *Townshend* contended, that he was right in his first assertion, which he was ready to maintain on the two following grounds: First, that seamen in general, except such as had been employed aboard ship in the same service, were no better than soldiers taken from the ranks; secondly, that such of them as were employed at the guns, were by no means, either by habit, experience, or knowledge, competent to the performance of the duty expected from persons regularly educated, and brought up under the military branch of the office of ordnance.

Some farther altercation arose between the Duke of Richmond and Lord Sandwich, relative to the intentions of the enemy, who, the latter said, were not to make a land attack, not having troops on board; and from the sea, for the reasons before given, Plymouth was inaccessible; while the former as warmly and confidently contended, that Plymouth was accessible in both ways, and that nothing but the ignorance of the enemy of its real state, prevented them from laying it in ashes, which, as he said before, would have been a national loss of upwards of five millions; but the loss of five millions would be nothing to the consequences which would have followed so fatal an event. In this idea, Lord Sandwich said, he most heartily acquiesced; five millions was nothing, nor ten times five millions, when thrown in the opposite scale; and he was happy to reflect, whatever the intentions or ignorance of the enemy might have been, that Plymouth was in such a posture of defence, and state of security, as to defy the utmost efforts of the combined fleet of France and Spain.

The Duke of *Grafton* rose next, and spoke very full to several parts of the question. He said, whatever respect he might entertain for the person of his Sovereign, which no sovereign better deserved than he did, he should consider the speech from the throne as an act of state, originating from the Crown and advised by its ministers. In that light he should, as a member of that House, consider it, and in that light he was fully warranted in expressing his highest disapprobation of the address, and his hearty concurrence in the amendment moved by the noble Marquis.

He perceived clearly, and felt with regret, that the address, though America was not mentioned in it, continued to be the favourite but ill-fated measure, which had hitherto brought on a succession of calamities, unequalled in the annals of any other nation, so great and powerful,
within

within so short a period of time, and which, if not abandoned immediately, must ultimately terminate in the ruin of this country, if not in the dissolution of the constitution, and, perhaps, of the Government itself. The noble Marquis had within a very short compass, he believed, expressed the sentiments of every intelligent independent man in England. New councils and new counsellors was the universal language of every man out of that House, and every man in it, when he went without the door. Indeed, all proof was unnecessary, it was enough only to look at what we were a few years since, and consider what we are. Both prospects served equally to fill the breast of every true Englishman with grief and indignation. It was impossible to think of one without thinking of the other; and he that could think of either must be made of very extraordinary materials indeed, if he did not find, on a review of the past and present scene, much to lament, much to fill him with indignation and resentment, against the authors of the calamities in which his country was involved; and more than sufficient to administer just cause of despondency and despair. It was therefore with peculiar satisfaction, he heard the amendment moved by his noble friend, if he would give him leave to take the honour of that appellation. The evil was the measures; the supporters were the next object; for unwise and unconstitutional as the measures were in themselves, they became still worse by the inability of those who were entrusted with the execution.

The wickedness of the plan of subjugating America, was only equalled by the degree of incapacity, which was apparent in the conducting it to the wished-for end; and the whole of the plan, as well as the execution, pointed out in the strongest colours and most forcible language what the amendment stated, that nothing but new councils and new counsellors could effect the national salvation.

His grace then went into a review of the conduct of administration from the commencement of the American war; and endeavoured to prove his general assertions by the particular instances of folly, corruption, obstinacy, and unconstitutional acts the King's servants had been guilty of throughout the whole progress, and in the several stages of the American war; and sat down with expressing his full approbation of the amendment moved by his noble friend.

The Lord Chancellor said, that two propositions presented themselves in the course of the debate, the terms of the motion indeed were sufficiently explicit on the subject; the first was

was the negative attempted to be given to the motion by the amendment moved by the noble Marquis; the second, the affirmative contained in that amendment.

What was the true purport of the address? To support his Majesty against a most dangerous and alarming confederacy of the united or combined force of France and Spain, leagued together for our destruction. What was the purport of the amendment, but a total denial in point of fact, and of course of every inference or deduction drawn from the premises? Were the premises true? Was France and Spain confederated? Had they united for the purpose of breaking, if not annihilating the naval force of this country? Most assuredly so. What was the object of the amendment? To put a negative upon this clear and indisputable proposition. If this must be clearly acknowledged, what was the obvious intention of the amendment, in another point of view? To pass a censure upon ministers, without proof, and even without the most distant appearance of any thing, which bore a semblance to proof, or the most retrospective relation to fact.

New councils and new counsellors, when it was used to the purpose to which it was intended to serve, and having a reference to the whole context, might be a very proper expression, and very fitly applied. How had it got into the present motion? He presumed by mere chance. The paragraph recommended new councils and new counsellors, without stating a single reason, why either the one or the other were become necessary; without even any constructive reference to what preceded or what followed the recommendation.

He had given all possible attention, and exerted his utmost industry to discover the grounds of this advice to the Crown, both in the amendment itself, and in the reasons suggested by the noble Lords who supported it, in the course of the evening; but all in vain: for all he could learn was, that certain measures, unsuccessful he would allow in the event, were condemned; and because unsuccessful, were therefore condemned. But allowing every thing which might be supposed to follow from such a suggestion; and inferences drawn from that suggestion, would it be just, would it be reasonable, would it be fair, either in point of form or fact, to condemn without hearing, to give judgment without knowing, or even enquiring what the party charged had to offer in extenuation, or in exculpation of the matter urged against them? He did not rise in that House, as an advocate for any man, or description of men, much less for the persons who were supposed to compose the present administration; but he stood

up for justice, for the honour of Parliament, and to preserve the reputation of the House. If ministers had acted improperly, injudiciously, corruptly, or wickedly, the very presumption that they had so, intitled them to a claim to trial and indifferent justice. They were culprits, he would suppose, that was enough for his argument; they were intitled to the benefit of the laws; the greater the charge, the more criminal in its nature, the more exemplary and severe the punishment, if due; the more care, caution, and circumspection there ought to be used, in seeing whether it was deserved or not; but to come with a side wind, without notice, without evidence, or any one species of proof or criminality whatever, to propose a removal, without a pretence of direct or implied guilt, was a mode of proceeding he would never accede to. It was an outrage on the constitution; it was contrary to law, to truth, to candour, to every form and essential requisite of substantial justice; it was what he never would nor could assent to, as a man, as a member of that House, or a friend to the constitution; and of course, could not upon any motive, prudent, political, or just, accede to the amendment moved by the noble Marquis.

His Lordship considered the motion in a variety of other shapes, and used a variety of other arguments, of the same size and complexion, and concluded by expressing his most unequivocal dissent to the amendment moved by the noble Marquis, and his full approbation of the address moved by the noble Earl [Chesterfield] who first offered his sentiments to the House.

Lord *Camden* made a personal reply to the noble Lord who spoke last, and spoke besides very fully to the question.

The words new councils and new counsellors, which the noble Lord on the woollack had so ably commented upon, and so industriously laboured to prove inapplicable to the subject matter under the consideration of the House, no matter whence borrowed, or whence taken, were in his opinion, the most apt, significant, and expressive, to the present state of this country it was possible for the mind of man to conceive. Why new councils? says the learned Lord. Because the old councils have proved the cause of all our calamities. Why new counsellors? Because the present counsellors have been the authors of all our defeats and disgraces, and that ruin and destruction which, on every side, menace this country.

The noble and learned Lord made use of the most novel logic he had ever heard in that House or out of it. The phrase,

phrase, his Lordship acknowledges, might have been very proper when first used, and by the person who used it. It was used by a noble friend of his [Earl of Chatham] some time since deceased; but upon what occasion? Upon the very same subject then under their Lordships' discussion; upon the existing state and approaching ruin which then seemed to be suspended almost over our heads. What did that truly great and wise man say? "The disorder is uncommonly malignant, and threatens the most fatal consequences. What is the most proper mode of treatment? What will assuage its malignancy in the first stages? What will totally eradicate and remove it in time? In the spirit nearly bordering on prediction; in the fullness of political wisdom, said that unrivalled statesman, there must be new councils, and new counsellors." What again was the use the noble Marquis wished to make of this sage advice?—To give or repeat it directly and immediately to his Sovereign. Was the malady to which it was intended as an antidote removed? Was it not the same distemper grown up to greater strength, and fuller maturity, become more dangerous in its aspect, and threatening still more fatal consequences.

The learned Lord had said a great deal about the text and context; for his part he was at a great loss to know or discover, what could have induced his Lordship to mispend so much time and ingenuity, in verbal criticism. The address stated the contrast between two periods of his Majesty's reign; the conclusion was, that such having been the effects of such a system of government thus administered, to beseech his Majesty, as vested with the exercise of the executive power, to adopt other councils, and call to his advice other counsellors; surely in all this there was nothing irrational, illogical, or absurd; on the contrary, as far as his poor opinion enabled him to judge, he never recollected to have heard premises more clearly or distinctly stated, nor a conclusion more faithfully and correctly drawn; and it was with no small degree of astonishment he heard the learned Lord quarrel merely with the expression, and yet forbear to controvert its truth; for surely the mind must be strangely perverted, and very callous indeed, which could suppose the expression nonsensical, and so framed as to be incapable of receiving any impression of a truth in itself, which carried with it every possible mark of self evidence.

His Lordship proceeded then to debate the question so far as it related to a measure of state, in which he gave a compendious history of the whole of the American war, and the

various

various measures which in that and the other House of Parliament gave it birth and maturity, which brought France into the quarrel, and which finally gave existence to the formidable and tremendous confederacy that was described that day from the throne. On these several points his Lordship was both circumstantial and correct, and drew this conclusion, that the men who had acted in the manner he had stated, were no longer worthy of the favour and protection of their Sovereign, or the confidence of the people.

On the affairs of Ireland his Lordship was very full, and observed, that the conduct of the King's ministers was such as the annals of mankind, since the first establishment of civil polity, afforded nothing similar. They turned a deaf ear to the complaints and distresses of a much oppressed and highly injured people; they permitted them to fall into a phrenzy, arising from necessity and despair; and what did they do next? To quiet them, to redress their grievances, and assuage their miseries, they put arms into their hands, in order to compel that justice which they themselves had repeatedly denied. Such, he said, was the extraordinary politics of the present ministers, and such the extravagant system of government under which they acted.

After speaking to a variety of other topics, flowing from, or connected with the question, particularly the very direct and positive language in which the speech was couched, not seeking the advice of parliament at this most perilous crisis, but calling for its approbation of measures already determined upon, his Lordship sat down, with expressing his full approbation of the amendment, and his highest indignation at the blind, confident, if not insolent temerity of those counsellors, who had dared to put such unprecedented and unconstitutional language into the mouth of their Sovereign.

Earl of *Mansfield* rose, he said, with great embarrassment, at so late an hour, being much fatigued with the very uncommon length of the debate. He meant not to give an opinion on the subject at large, but only to make an observation or two upon a misconception which seemed to pervade the amendment moved by the noble Marquis, and every noble Lord who spoke in its support.

The two leading facts stated in the amendment were those: that his Majesty, on his accession, found the nation in a state of the highest apparent prosperity, and that it was however now reduced to a most dangerous and calamitous situation. These facts were most certainly true; no man could pretend to controvert them; but in his opinion the deduction from these

these premises did not at all follow; for things might continue to grow worse, and yet public misfortunes not be justly imputable to Ministers; not that he pretended to decide one way or the other, nor did that question come before him in a shape fit or proper for discussion; but it struck him, upon a transient view, that the whole of our distresses could not be justly laid at the door of any set of ministers, or any particular description of men. A right honourable gentleman, some years deceased, was supposed to have directed his Majesty's councils immediately after the period of prosperity alluded to in the motion; and it was he that first brought the question of exercising the legislative rights of this country over America. He would not say how wisely; for he did not mean to decide whether the stamp act was a wise or improper measure. The noble Marquis who moved the amendment succeeded that gentleman, and was honoured with the confidence of his Majesty in the same manner. During his Lordship's administration the stamp act was repealed. He would give no opinion on the propriety of that measure. The noble Duke in the blue ribbon who spoke lately [Grafton], succeeded to the noble Marquis. During his Grace's administration the revenue taxes upon tea, &c. were laid, which had originally sowed the seeds of the present rebellion. Whatever opinion he might have on the subject he would give none at present, whether that either was or was not a wise measure; it was however sanctioned by the learned Lord who spoke last, and a noble Lord who spoke early [Shelburne] who, at the time of passing that act, had each of them a seat in his Majesty's councils. To this last the present set of ministers succeeded. They had neither passed the stamp act nor repealed it; they had not laid on the American duties; and whatever the measures were, good or bad, wise or unwise, they had only followed up what had been before chalked out for them. Whether it was good policy to pursue those measures, or whether they had been pursued in a manner the best calculated to obtain the object, was a matter of distinct consideration; but be that as it may, to do justice to all the parties concerned, it was by no means fair, according to his judgment, to make a particular application of a proposition, which, whether applicable to any set of them, was generally applicable, or not at all so. Upon this ground therefore, and this only, though he acknowledged the facts stated to be true, he could not in justice or conscience give his vote for a motion which went to the censure of a particular set of men, for pursuing a line of public conduct not
devised

devised by themselves in point of principle, and which had no better support than a consequence flowing from a system in which, if any censure were due, they could only be participants in.

His Lordship then turned his attention to the very distressed and perilous situation of this country; and said, nothing but a full and comprehensive union of all parties and all men could effect its salvation.

He was old enough to remember this country in very embarrassed situations; none, he acknowledged, like the present. He had seen great and violent party struggles; none so violent as the present. Notwithstanding which he by no means despaired, nor was he despondent. There was one point in which every man agreed, and every party professed to attain; and no doubt the wish was sincere, and proceeded from the heart; he meant a principal of self-defence, directed towards public preservation.

On this ground he craved the attention of a word or two, to explain his ideas. He had talked of the struggle of parties; he should now throw out a few hints upon the necessity of a coalition, by referring to facts which had come within his own knowledge. Sir Robert Walpole had, for nearly twenty years, withstood one of the most formidable oppositions this country perhaps ever beheld. What did that great statesman do? He kept his place as long as he could, and when he found that he could no longer retain it with safety, he compromised matters with his opponents, procuring for himself an indemnity for every thing which had passed, and made way for a system exactly similar in all its parts, and at the end of a few months administered and supported by the same man.

At the breaking out of the late war, public misfortune and other circumstances created a very strong opposition to the same administration that had succeeded to that of Sir Robert Walpole's, which being strengthened by an existing party, made it necessary for his Majesty to change his councils, perhaps not to any great extent. He had a hand in that negotiation, and what was the consequence? Two persons, after some fluctuation, only were taken in, yet by so immaterial a change the nation was satisfied, a coalition ensued, and the effect of that seasonable union was the glorious successes and accession of territory made in the course of the late war.

How far the temper of the nation or state of parties might admit of a coalition at present he could not pretend to say; but

but it was an event most earnestly to be wished for; for indeed such was the alarming state of affairs, that the country loudly called for the assistance of every heart and hand which it contained, and with such a co-operation, though he was far from desponding, the most confident mind and most resolute temper had sufficient cause to stagger his confidence and shake his resolution.

His Lordship spoke to the question, as it presented itself to the house, and by implication entered into a defence of administration, by attributing all our misfortunes to the ambition and perfidy of the court of Versailles, and its baleful influence in the Spanish councils.

At half after one o'clock in the morning the house divided upon the Marquis of Rockingham's amendment, for the amendment 41, against it 82; and the original question being put on the address, it was agreed to without a division.

December 1.

The order of the day was read, for the Lords to be summoned on a motion to be made by the Earl of Shelburne.

As soon as the clerk had read the order, his Lordship rose, and apologized to the house for not giving some intimation of the intended purport of his motion at the time he gave an intimation of his intention to make it; but assured their Lordships that it was but that very day he had made his option out of two subjects; that of the island of Jamaica or Ireland. They alternately pressed themselves with equal force upon his mind, and the choice he had made was only on this idea, that the affairs of Ireland called loudly for immediate relief, while the state of Jamaica, be it ever so alarming and critical, could receive little advantage from any determination come to in that House respecting it; for either the fatal blow was already given, or, if intended, would be given before any assistance or succour could reach that island.

Having apologized to their Lordships, and assigned his motives for giving a preferable attention to the affairs of Ireland, his Lordship, after this short introduction, moved, "that the address of that House, which passed unanimously on the 11th of May last, recommending to his Majesty's most serious consideration the distressed and impoverished state of the loyal and well-deserving people of Ireland, and to direct that there be prepared and laid before Parliament such particulars relative to the trade and manufactures of Great Britain and Ireland as to enable the national wisdom to pursue effectual measures for promoting the common strength, wealth, and commerce of his Majesty's subjects in both kingdoms,

and his Majesty's answer of the following day, that he would give directions accordingly : and likewise the motion to address his Majesty which he took the liberty to trouble their Lordships with on the 2d of June, re-stating the necessity of giving speedy and effectual relief to Ireland, and offering the full co-operation of that House towards giving relief to that kingdom, and if his royal prerogative, as vested in him by the constitution, was not adequate to administer the wanted relief, that his Majesty would be pleased to continue the Parliament of this kingdom, and give orders forthwith for calling the parliament of Ireland, that their just complaints may be fully considered, and remedied without delay ;" which last, his Lordship observed, had been negatived by a considerable majority, no less than by 61 to 32. These documents being read at the table,

His Lordship proceeded to explain the grounds of his intended motion, which would, if carried, amount to a vote of censure upon ministers.

He reminded the House, that the address first read, which passed *nem. dissent.* was made by the noble Marquis, not in the terms in which it appeared upon their Lordships' Journals, but contained a recommendation for giving relief to Ireland, and an implied censure on ministers for neglecting the immediate concerns of the sister kingdom, and the union and prosperity of both kingdoms. The noble Earl in the blue ribbon, then at the head of his Majesty's counsels [Earl Gower] proposed an amendment, which, though it did not meet the ideas of many noble Lords on the side of the House he sat, he was disposed to accept of ; because if the whole address had been insisted upon by his noble friend near him [Marquis of Rockingham] its being negatived, would, in his opinion, at that time have been productive of disagreeable, perhaps of fatal consequences. He thought it better, in a choice of evils, to accept of that from which some advantage might be drawn, than adhere to a motion rigorously, which, if refused by a majority of their Lordships, might irritate Ireland, and spread discontents and provoke resentments in the breasts of men nearly verging to despair, under a load of accumulated distresses within, and what they deemed the most gross injustice and unfeeling oppression from without.

On this idea, and this only, he closed with the amendment offered by the noble Earl in the blue ribbon, though at the time he thought it did not reach the true grievance which was the shameful conduct of ministers in neglecting, or rather abdicating the affairs and even the government of that kingdom.

kingdom. What he said on that occasion had been grossly misrepresented in the news-papers, and gave rise to a great many ill-founded severities and misrepresentations of his conduct in his native country. He had even received several scurrilous letters from anonymous persons, and reprehensions from his friends on the other side of St. George's Channel; but as he was conscious that sentiments had been imputed to him in print, which never entered into his imagination, and that his motive for approving the amendment was merely to give hopes to Ireland, that after the unanimous concurrence of that House and his Majesty, indeed of every branch of the legislature, a similar motion to the amended one having passed the other House the same day, he thought more for the benefit, happiness, and the preserving the goodwill and affection which that country had ever entertained for this; and that Ireland relying on so solemn and sacred a sanction as he had described, would be persuaded that the day of national salvation could not be very far distant.

At the same time it was judiciously pressed by the noble Marquis, and several other noble Lords on the same side of the House, that when they consented to permit the original motion to be altered, and qualified in the manner now described, that the true purport of the address, which was immediate and effectual relief, should be answered: it was his opinion likewise then, as it was still; and from that day a new æra commenced in the affairs of Ireland. The word of Parliament was pledged, but was no sooner pledged than it was violated by ministers. Three weeks however elapsed, without a single step having been taken; and it was upon this shameful contempt of the recommendation of Parliament, and the breach of the assurances given by his majesty's ministers, that he moved the address of that day, which had been now read at the table, for continuing the session of Parliament and convening the parliament of Ireland, that their united wisdom might effect what administration were incapable or unwilling even to attempt.

Such being the conduct of ministers; the next object of their Lordships' consideration and decision was, what were the consequences which that conduct drew after it? Exactly what every thinking man must have clearly foreseen. Ireland disclaimed any connection with Great Britain; she instantly put herself into a condition of defence against her foreign enemies; oppressed at one time by England, and at length reduced to a state of calamity and distress, experienced by no other country that ever existed, unless visited by war or famine; and perceiv-

ing that all prospect of justice or relief was in a manner finally closed, and that she must perish or work out her own salvation, she united as one man to rescue herself from that approaching destruction, which seemed to await her. The people instantly armed themselves, and the numbers armed soon increased to upwards of forty thousand men, and were daily augmenting. This most formidable body was not composed of mercenaries, who had little or no interest in the issue, but of the nobility, gentry, merchants, citizens, and respectable yeomanry: men able and willing to devote their time, and part of their property to the defence of the whole, and the protection and security of their country. The government had been abdicated, and the people resumed the powers vested in it; and in so doing were fully authorised by every principle of the constitution, and every motive of self-preservation; and whenever they should again delegate this inherent power, they firmly and wisely determined to have it so regulated, and placed upon so large and liberal a basis, that they should not be liable to suffer under the same oppressions in time to come, nor feel the fatal effects and complicated evils of mal-administration, of calamity without hopes of redress, or of iron-handed power without protection.

To prove that these were the declared and real sentiments of the whole Irish nation, he should not dwell upon this or that particular circumstance; upon the resolutions of county and town meetings, upon the language of the associations, upon the general prevalent spirit of all descriptions of men, of all religions: matters of this kind however true or manifest, were subject to or might admit of controversy. He would solely confine himself to a passage contained in a state paper; he meant the address of both houses of the Irish parliament, declaring that nothing but granting the kingdom "a free trade" could save it from certain ruin. Here was the united voice of the country, conveyed through its proper constitutional organs, both Houses of Parliament, to his Majesty, against which there was but one dissenting voice in the houses, and not a second, he believed, in the whole kingdom. Church of England men and Roman-catholics, dissenters and sectaries of all denominations; Whigs and Tories, if any such were to be found in Ireland; placemen, pensioners, and country gentlemen; Englishmen by birth; in short, every man in and out of the House, except the single instance mentioned, had all united in a single opinion, that nothing would relieve the country short of a free trade.

A noble

A noble Lord of great abilities, and who was lately appointed to a high confidential office [Lord Hillsborough] had endeavoured to find out a meaning for the people of that country, which they did not know themselves how to express. The noble Lord's country was certainly much obliged to him. Said the noble Lord, the last night, he had conversed with several leading men in that kingdom; but not one of them could define what he meant by a free trade; but that the noble Lord himself had discovered it. Free trade, said the noble Lord, means an equal trade. He wished to recommend to the noble Lord, to be more cautious in putting interpretations on the plain and unambiguous expressions of other men. A free trade, he was well persuaded, by no means imported an equal trade. He had many public and private reasons to think so; a free trade imported, in his opinion, an unrestrained trade to every part of the world, independent of the controul, regulation, or interference of the British legislature. It was not a speculative proposition confined to theory or mere matter of argument: the people of Ireland had explained the context, if any ambiguity called for such an explanation; he received accounts from Ireland, that a trade was opened between the northern part of Ireland, and North America, with the privy of Congress, and indemnification from capture by our enemies; that provision ships had sailed to the same place: nay more, that Doctor Franklyn, the American minister at Paris, had been furnished with full power to treat with Ireland upon regulations of commerce, and mutual interest and support; and that whether or not any such treaty should take place, the mutual interests of both countries, their very near affinity in blood, and their established intercourse, cemented farther by the general advantages arising from an open and unrestrained trade between them, would necessarily perfect what had already actually begun.

Such then being the temper and disposition of Ireland now, compared with what it was at the close of the last session, he should take up very little of ther Lordships' time, in stating the true grounds of his motion. At the time the noble Marquis moved the first address, Ireland would have been contented with little, in expectation of obtaining more at another opportunity, when it would come with the appearance of generosity and affection, and not as if extorted, when this country was labouring under a variety of distresses and embarrassments; whereas now, most probably, they would

not be satisfied with any thing short of trade, totally independent and free.

The noble Lord who stood forth the first day of the session, and to whom he had lately alluded relative to the meaning he affixed to the expression in the address of the Irish Parliament to the Crown, had not only explained the words, but stood forth as the responsible minister on the occasion. He did not pretend to say how far Ireland would be inclined to trust to his Lordship's word. The noble Lord ought to take care, and proceed very cautiously indeed, lest he should prove as unfortunate in his administration of the affairs of Ireland, as he was in those of America. He delivered [supposed to mean when secretary of state, and the new office of secretary of state for the American department was created and conferred on Lord Hillsborough] the colonies into his Lordship's hands, peaceable, loyal, obedient, and affectionate subjects; his Lordship had, by a series of mistaken, improvident, oppressive and irritating measures, sown the seeds of revolt, and the present rebellion, with all their mischievous consequences, which we now feel, and the various ills and dangers which now threaten us on every side.

The noble Lord's appointment, in his opinion, carried with it a most unfavourable and inauspicious aspect. The noble Lord now held himself forth as responsible to both kingdoms, as he had done once before to Great Britain and America. He assured Great Britain, that America would agree to the revenue laws, passed before his entrance into office, and if they refused, that they would and must be compelled to a submission. He assured America, on the other hand, that all taxes, for the purpose of raising a revenue, would be modified so as not to be founded in taxation, or have any other object in view but commercial regulation; and that no other laws, for the purpose of raising a revenue, would be passed by the British legislature. He never meant to make those promises good, or failed in the attempt. He now assures Great Britain, that Ireland, by a free trade, means an equal trade, and on this ground stands forth responsible for the event of his own measures.

After stating in a variety of instances, the misconduct, incapacity, but above all, the shameful inattention of ministers to the affairs of Ireland, by which we were driven to the melancholy terms of submitting to whatever Ireland might think proper to dictate, or to the loss of Ireland, as well as America; his Lordship proceeded to point out several existing grievances in that country, as well arising from its particular constitution, as interior government,

vernment. He observed that there was one gross defect in the former, and that too of the first magnitude, he meant the power the Crown being invested with or arrogating to itself, the disposal of the hereditary revenue, which amounted to full two-thirds of the whole monies raised upon the people. This could be disposed of at the King's pleasure, or its produce in part be anticipated by royal grants, called the King's letters. Such a general grant, he allowed, was not to be supposed or feared; but so long as the claim was contended for, it must continue a dangerous claim; because it invested the whole produce in the King, and with it consequently the power of the sword. It had, however, this immediate effect, that the ministers were at all times at liberty to give pensions, create places; and the salaries and sums granted or annexed to them, being charged upon the hereditary revenue, it in fact amounted to a power to tax; because if that revenue fell short, other taxes must be laid on the people, and other burdens incurred, in order to make good those eventual deficiencies.

This power, and the use made of it, was a source of endless mischief to the people of Ireland, and in its consequences to the people of England; because it afforded ministers on both sides the water, the means of corruption, and rewarding those who supported them in their views, and gave a sanction to their measures. It was doubly mischievous to Ireland; for while it impoverished the people there, it at the same time furnished the means of future oppression, and repeated public rapine.

He spoke of the deplorable state of that country, respecting religion, and its ministry. He said, that the clergy there, were the best provided for of any in Christendom, in proportion to the ability of the country, and did least for what they received. He spoke in the hearing of some noble Lords who had been there, and had traversed the country, and appealed to them, if for one parish church standing, there were not five in ruins; and whether, upon an average, one fourth of the people were properly attended. He spoke very handsomely of the present primate of that kingdom [Doctor Robinson] and a certain worthy prelate, brother to a noble Lord, a member of that House [the Bishop of Derry, brother to the Earl of Bristol] who both, as he was well informed, had set an example worthy imitation within their respective jurisdictions and dioceses; but to come at the root of the grievance, it would be necessary to call in the aid of Parliament, to co-operate with the wishes of good

and pious men, and to enforce a necessary discipline, among such as are mindful of their duty, only considered the emoluments derived from oppression, which above all others, from its nature and objects, should dictate and command a faithful discharge of it in all its possible relations.

His Lordship was remarkably severe on the conduct of a noble Lord in the other House, who was generally supposed to be the minister, who was famed for nothing but making contracts, and being totally inattentive to every other concern of the state; who slept eternally when he should be awake, and was scarcely ever attentive to his duty, but when his alacrity led the way to error. There was no such thing as driving him beyond his usual pace; for whether it was the actual loss of America, or the danger of losing Ireland, the noble Lord was uniformly immoveable.

Let the pressure of affairs be what they might, it was the custom of the noble Lord to jog on slowly, and like a French General, to whose humour and temper he particularly alluded, who being informed that 40,000 men were in danger of being cut off; no danger, however pressing, could prevail upon him to put his horse into a trot.

He said he began to be heartily tired of his situation as a member of that House. All attempts from that side of the House, were become idle and ineffective. The question, when it came to be decided, was determined by a most discouraging majority. If the question related to the internal defence of the kingdom, or to the state of defence of our dependencies or transmarine dominions, it answered no other purpose but that of conveying improper and dangerous intelligence to our enemies, and inviting their attacks; if to the real intention of foreign courts, all was buried in equivocal answers, totally evaded, or passed over in silence. A noble Viscount on the cross bench, lately come into high office [Lord Stormont] imputed to noble Lords on his side of the House, motives, he trusted, the most unjust and ill-founded, a desire of power, place, and emolument; and that, in contradiction to what had been asserted by a noble and learned Lord, a near relation to the noble Viscount, the same evening, [Lord Mansfield] "that no man, in the present critical and embarrassed state of public affairs, could accept of a place under government, in any high or responsible situation, but from a sense of duty;" and at the same time seemed to throw out a hint, that if being brought into office was the object, that event might be brought about.

The

The learned Lord had indeed, ventured a great length, and from motives of inducement had referred to historical facts. He mentioned the resignation of Sir Robert Walpole, and a later compromise, soon after the commencement of the late war. If those references to what had happened were intended to apply to what might again be effected, he could solemnly and safely protest, that he would upon no consideration whatever unite, or in any way co-operate with men who had been the instruments of bringing ruin and disgrace on their country. For his own part he had decided finally on his future conduct. He had united with those with whom he had the honour to act for several years; their principles were the same; their future rule of conduct was to be correspondent; whatever different opinions they might have held, they no longer interfered with their general plan; they were confidentially and fully united in the great leading principle, of new men and new measures; if the salvation of the country was to be effected, it was only by those means; or if the country was to be saved from the ruin which threatened us on every side, it was only by a change of system; the present must give way, and the consequence must be, as he observed before, other men and other measures.

He observed early, that the noble Earl to whom the latter part of his speech particularly alluded was not present. He did not wish to harass old age, so as to call forth its natural concomitants, peevishness, impatience, and precipitancy. What he meant to say, regarded more properly those who might be called to succeed him, not in place, but in influence. He liked the Scotch nation in general, as divines, soldiers, and men of letters; but he was free to confess, that he detested the Scotch law, as totally inapplicable to the spirit of a free constitution. To prove how well this opinion was founded, he quoted the authority of those who drew up the impeachment of Cardinal Wolsey, and had framed one of the articles on a charge against that proud and despotic prelate, that he had endeavoured to introduce the civil law of Scotland into England; and of Lord Bacon, who had expressly maintained in one of his law tracts, that a Scotch lawyer was by professional education unfit either to explain or dispense the law of England, as an advocate or a judge. His Lordship did not confine himself to general assertion, but explained the different mode of proceeding in the English and Scotch courts, and the mode of decision, which

which obtained in each of them, and gave the preference to the English laws, which upon every matter of real consequence defined the crime, and annexed the punishment; whereas this mode of proof was much more loose and indefinite in Scotland, while the measure of punishment solely lay in the breast of the judge, and was founded merely in discretion.—He must acknowledge that he had a very high respect for the professors of the law, but he should ever think, that law and politics were not so much combined, though in many instances they were, that a sound lawyer was always a good politician. Their habits, studies, and pursuits, were different, and he thought very properly so. He did not mean, by any thing he had thus loosely thrown out, to disparage the profession; the noble and learned Lord on the woolsack, was very judiciously called by his Sovereign into his present high situation; he was perfectly pleased at the noble Lord's promotion. He was well satisfied with his Lordship's great professional abilities, and he was happy when he reflected, that while he had done honour to the seat he occupied in that house, he had restored dignity to the upper end of Westminster-hall.

His Lordship next took a view of the state of the empire and its various dependencies, and a retrospect of the last summer campaign, in the course of which he made a great many pointed observations, and dwelt a considerable time on the language of ministers out of that House, which amounted exactly to this: that the King was his own general, for it was actually reported with confidence, and he believed was universally understood to be true, that his Majesty, had the enemy attempted a landing, meant to take the command of the army. It was said likewise, that the King was his own secretary; his own first commissioner of the Admiralty, &c. This was a most preposterous idea, and a language totally unknown to the constitution. The King might be as well his own chief justice and dispense law on the bench in Westminster-hall, as be his own general, &c. He could not act but through the medium of his ministers in their several departments. Those ministers who would permit his Majesty to head his army would take the risk upon themselves and deserve impeachment. The constitution held a very different language, and was precise and correct on the subject. Every one of his Majesty's servants were separately and conjunctly responsible for every measure that they carried into execution through their respective departments ;
and

and as a committee of council, for the measures decided there, and passing under the idea of an act of state, or the resolution of the Crown, previously advised to it by his constitutional counsellors. It was upon this clear doctrine of constitutional law that the well-known maxim, that "the King can do no wrong," was founded. Why so? Because the King, in contemplation of law, can do nothing without previous consultation and advice. He allowed, however, that a King in some cases might so far abuse his trust, as to do wrong, by usurping upon the powers which the constitution had placed in other hands. What happened more than once before, might again happen. The conduct of Edward II. and Richard II. exhibited two melancholy instances how far a prince, under the influence of secret advice, may be tempted to mistake his own dignity, and the mutual rights and interests of himself and his subjects, which, when properly supported and wisely pursued, are for ever inseparable. It was true, that the civility of the law lays down as a maxim, what it presumes, out of respect to the person of the King, will never happen; that is, that by a breach of every duty, moral and political, he will act merely on his own judgment; farther, the maxim, that "the King can do no wrong" was to the last degree blasphemous, ridiculous, and absurd; he therefore was of opinion, that a prince above all things, should be ever attentive to these two considerations: namely, the exact relation he stood in with respect to his subjects, the ground of their obedience, and his own power: and the very particular station in which the laws and constitution had placed him as an individual, most certainly at the head of government, but nevertheless bound by every motive of religion and regard to the laws, with the meanest subject in the empire; and, he was free to say, that any King of this country, who should venture hereafter to depart from those sound maxims of law and policy, would sooner or later experience the fatal consequences of exercising in his own person those active powers placed by the constitution in his ministers and advisers, for the due and faithful discharge of which they were, from the nature of the trust reposed in them, personally responsible.

He could not help observing, that, however improbable it might be, that our present Sovereign would ever depart from those sentiments of justice and good faith so deeply engraven on his heart, that many matters had lately happened which afforded cause of just alarm to the friends of the constitution
and

and their country. The servants of the Crown, by the aid of the unnatural and dangerous influence which it carried with it, had visibly departed from that system of government which had borne us through four most heavy and expensive wars, and had raised at length the glory of this country to the highest pinnacle of fame, accompanied with an accession of riches and national prosperity hitherto unequalled in history. This system had been gradually giving way since the commencement of the present reign, till one of a very different frame and tendency was now established in its place; a system planned in secret advice and supported by corruption. This double influence was now become in a great measure irresistible indeed! the wisest could not well see where it might end, though he was perfectly satisfied that it pointed and would lead to some fatal issue.

He did not mean to charge any particular person with being the secret deviser of this system. The noble and learned Earl, to whom he had more than once alluded, [Earl Mansfield] was, he meant by report, deemed to be no more than a secondary instrument, for there was still another person, who disclaimed all private interference or public opinion, who was looked upon as the original mover. If that were true, the cure would be more difficult, as the cause of the malady was farther from the usual means of discovery. He spoke again of the affairs of Ireland; entered into a narrative of its distresses; and imputed to ministers that they had at one time refused to give relief to Ireland, and at another, afforded her the means of compelling us to do, from a dread of the consequences, what the wisdom of his Majesty's counsels and the justice of Parliament ought to have rendered an act of duty. It was a matter of notoriety, that when Ireland only applied for some trifling favour pretty late in last session, a few days only before the noble Marquis moved the address read that day at the table, that the minister in the other House [Lord North] understanding that the House was about to relax, and that the favour was upon the point of being granted, came down, and by his sole influence threw out the bill by a majority of three only, and, not contented with giving a silent vote, spoke with his usual energy and success against it. This act of declared hostility against the people of Ireland, with the subsequent neglect of administration, in not attending to the united sentiments of the British Legislature, was, in his opinion, the cause that Ireland was not now in a perfect

state of tranquillity and obedience to the government of this country, and that instead of ten or twelve thousand associators, there was now, he belieyed, full four times the number, well armed and accoutered, and daily improving in discipline. The Irish saw what they must trust to, and they took the option. The honour and dignity of the Crown was disgraced; the sword was dropped; and the people had taken it up on the double motive of defending themselves against a foreign enemy, and compelling that justice with arms in their hands that had, as with America, been denied to their humble applications, and the repeated narratives and representations of their calamities and distress.

After disclaiming all personal resentment, in the act of duty he undertook to perform, his Lordship then moved, after being on his legs above an hour and forty minutes, the following resolution :

“ That it is highly criminal in his Majesty’s ministers to have neglected taking effectual measures for the relief of the kingdom of Ireland, in consequence of the address of this House of the 11th of May, and of his Majesty’s most gracious answer; and to have discovered the discontents of that kingdom to rise to such an height as evidently to endanger the constitutional connexion between the two kingdoms, and to create new embarrassments to the public councils by division and diffidence, in a moment when real unanimity, grounded upon mutual confidence and affection, is confessedly essential to the preservation of what is left of the British empire.”

Earl of *Hillsborough* arose, and after apologizing to the House for the very unprepared state he was in, from not knowing what the noble Earl’s motion pointed to, to answer the noble Earl on the great variety of topics which he had discussed, many of them having little, or indeed no relation at all, to the subject matter of debate, he would principally confine what he had to say to the question on their Lordships’ table, and only, if his memory served him, touch upon such parts of the noble Earl’s speech as related to himself, in respect of future measures, concerning Ireland, and the success of them. The noble Lord had more than once advised him to be cautious how far he should commit himself, as responsible for the measures he had advised; the caution was very proper, and he could assure the noble Lord he had carefully attended to it before he entered into office. He thought that Ireland was entitled to a free trade with equal taxes, or, as he had before expressed himself, to an equal trade. So far his opinions went, and on that ground he thought himself well warranted

in recommending to his Majesty, and proposing to the consideration of Parliament the granting Ireland an equal trade. As to the event of this measure, all he could positively say was, that it perfectly accorded with his ideas of policy and justice, and from the temper and disposition of the people of both kingdoms, he had good grounds to hope, that an equal trade, with the conditions to be annexed, would give perfect satisfaction and content, as well to the British as Irish nation! These were his general sentiments; for the sincerity of them he could alone be responsible, not for the success of the measure. As a friend to both countries equally, he hoped that Parliament on both sides of the water would adopt what he thought was the line of justice, because founded in common interest, and directed evidently to promote at once their separate and joint prosperity.

His Lordship reminded the noble Lord, that although he possessed a greater property in Ireland than in England, and was nearly connected with the former both by interest and affection, that his attachment did not originate in motives of a nature so apt to influence his conduct as those which might be supposed to operate upon that of the noble Lord. He was born in England; his parents were born here; and all his ancestors. The noble Lord was a native of Ireland; and though descended from an English family, so many centuries had elapsed since it settled in that kingdom, that if there was any ground for imputing a predilection to either himself or the noble Lord, which he by no means pretended to say, the probability was, that if any such predilection existed, its effects would be felt much stronger by the noble Lord than by him.

His Lordship then adverted to the interpretation which had been put by the noble Lord upon certain words dropped by him in a former debate, respecting Ireland. Those expressions he was ready to explain, and he made no doubt but the House would find them perfectly innocent of any insinuation that there was a power in the cabinet which could undertake to answer for the Parliament. The obvious meaning of his words was, that previous to his acceptance of the seals, as Secretary of State, he desired to know the intention of his Majesty's ministers, and the opinion of his council, relative to future measures respecting Ireland; and received every assurance from them that government was thoroughly disposed to co-operate with Parliament, in giving to that kingdom such an extension of trade as would put her on a footing with Great Britain on the scale of commerce. This was what he meant.

meant. He accepted the seals upon that idea and no other. It was not to be fairly presumed that government could give any specific assurance as to the actual event; but still it could undertake for its consent and support, in concert with Parliament; and he would again repeat, that should he find himself deceived in that assurance, he would from that instant be no longer a minister. When he delivered his sentiments on this subject, the first day of the session, he little expected that his appointment to office would preclude him from giving his opinion as a Lord of Parliament. In that capacity only he delivered them, and as such he wished to have them understood.

The noble Earl, he said, had objected to the second reading of the papers which were laid before the House, in consequence of the address to his Majesty on the 11th of May. His Lordship had, he believed, a very particular reason for objecting, because they contained evidence to induce every noble Lord present to be persuaded that the motion was equally unnecessary and unfounded! The papers would have proved that every possible attention had been paid to the affairs of Ireland, and every means employed to procure such information as could be collected, in order to submit it to the consideration of both Houses of Parliament that they might be enabled, from the most intimate knowledge of the state and condition of the sister kingdom, to lay down some effectual plan for relief. So great, arduous, and important an undertaking, did not belong to government alone. It belonged in the fullest and the most extensive sense, to the legislature at large, while the only proper business of administration was to furnish the means of doing it. These means they had already furnished, and as to the mode of procuring them, had proved themselves remarkably active, instead of being tardy or remiss. If noble Lords would look into the papers on the table, and examine the contents, they would be fully sensible the charge of neglect, contained in the motion, was totally ill-founded. They would even discover, that so early as the month of May, his predecessor in office [Lord Weymouth] had written to the Lord Lieutenant of Ireland, in obedience to the address of that House; and likewise they would find his Excellency's answer, dated so early as the 2d of June, the very day the noble Earl who made the present motion, moved another address to the Crown, which had been negatived. Their Lordships would see, upon perusal, that Lord Buckinghamshire's answer was most ably conceived, and full of important information,
derived

derived in part from consultations had with many of the most leading, experienced, and intelligent persons in that country. Finally, their Lordships would be fully convinced, that the King's confidential servants had not, in the terms of the motion, been guilty of criminal neglect: and if any thing more was wanting to shew that the charge was ill founded, a very few days would bring an additional testimony of the unwearyed assiduity of ministers; as within that period a noble Lord in the other House [North] would move some propositions for the relief of Ireland, the result of that information which, during the prorogation of Parliament, they had employed themselves in obtaining.

He could not therefore but oppose a motion, which, if agreed to, could tend only to create unnecessary jealousies and embarrassments, at a time when all parties agreed, that to promote union was the first object of every man who wished well to his country; a motion which involved all his Majesty's servants, whether living or dead [Lords Suffolk, Gower, and Weymouth] as well as those who have acted for a series of years, as the minister of a week or a day [himself and Lord Stormont] without proof or any evident foundation for the charge whatever; and when he was convinced in his own mind besides, that every thing had been done by them which was required, both by the letter and spirit of the address of the 11th of May.

Lord *Abington*, read a paper, containing a narrative of his having gone to the late Lord Lyttelton's house, in Hill-street, a day or two after his decease, and was informed by his confidential servant, his master had declared his determination, that a paltry sinecure place of 1500l. a year, should not tie or bind his tongue; but that knowing what he knew when Wednesday came (meaning that day) ministers should see what Lord Lyttelton was, having matters to reveal, against which all their acts of imposition and delusion, and hitherto unshaken effrontery, would not be sufficient to bear them up.

The Duke of *Manchester* strengthened the suggestions of the noble Lord who made the motion, with respect to the opinion which almost universally prevailed out of that House, "that the King was his own minister," a doctrine which he wished to have an opportunity of expressing his most utter and hearty abhorrence of, on the first day of the session, had not the late hour prevented him troubling their Lordships after a debate so lengthened and protracted. This alarming and unconstitutional doctrine had gone forth, and spread itself widely. The present period was sufficiently
awful

awful indeed, to make ministers tremble, not so much for the fate of their much injured and almost ruined country, but for their own personal safety, when their fears might warmly urge them to screen themselves behind the throne for protection ; but responsibility would not be excluded even from that sanctuary. Public justice had before now found its way thither, and the world knew well, that Charles I. lost his life, and James II. his throne, for offences against the constitution, of infinitely less magnitude than those which marked the administration of the present reign.

The objections made to the motion, by the noble Earl who spoke last, upon the ground of a want of proof, he considered in no other light but mere cavilling. The neglect charged upon ministers was indeed self-evident ; it was notorious within and without doors. The alarm created in this country, the disorders now reigning in Ireland, and the language of the Irish parliament, which was, in fact, no more than the echo of the universal voice of the people, proclaimed the ruinous and fatal truth beyond any evidence, which the mere forms and circumstances prescribed by a court of law, could possibly reach.

The criminal neglect imputed had armed the Irish associators, and would, he believed in his conscience, produce similar associations in England, if a speedy dissolution of the present fatal system which directed our counsels, did not take place ; the consequence of which would be, that some of the highest and most respectable characters in this kingdom would join in them, in order to procure a redress of grievances.

In that ministers might find the people unanimous, and that was the unanimity which must restore the long lost vigour of the constitution and of government.

The Marquis of *Rockingham* said the non-importation agreement in Ireland had not been general, but had been entered into only by some counties and towns, at the time his motion was made ; but as soon as the Irish perceived that no relief was to be expected from ministers, though every branch of the legislature had promised it, the non-importation agreement became general, and the spirit of military association, which was directed solely to defence against a foreign enemy, soon assumed a different form ; and looked forward to compel that relief which, with good will and good intentions on our part, had before no existence in the minds of the people of Ireland. Had something been done when he first moved, or if Parliament had been kept sitting, according to

the proposition of his noble friend, of the 2d of June, neither the associations nor the non-importation agreement, would have ever existed in their present extent.

Could their Lordships then, with such self-evident proof before them, refuse, when it was perhaps the only measure which could effect the salvation of their country, from the innumerable perils which encompass it on every side, to pass a censure upon those men, who, by such base neglect or complicated folly and treachery, had forced the Irish not only to those measures already mentioned, but had driven them to the last necessity, that of taking up arms to redress themselves, and into associations which, however well intended, most clearly amounted to a suspension, if not a subversion, of all the powers of legal government; and which, if speedy measures of conciliation be not adopted, might terminate in a civil war.

Among the grievances complained of by the people of Ireland, his Lordship mentioned the expressions of disapprobation, on the shameful abuse and scandalous waste of the public revenues, and the pension list. As an instance of this charge, he mentioned the purchase made of the office of clerk of the pells in that kingdom, from the then possessor of that place, an honourable member of the other House, who was an ornament to his country [Mr. Fox] who held it by virtue of a patent, for thirty-one years. In describing the whole of this accommodation, he observed, that the net profit of the place was but 2300l. a year; that the minister gave 30,000l. in hand, and a pension of 1700l. per annum; but for what purpose did he make this usurious contract? Not to oblige or serve that gentleman; nor to relieve that kingdom from an enormous annual charge of a sinecure place, which required no attendance, but to qualify for the place on the spot, a custom long fallen into disuse, the very form upon every occasion, having for many years, and upon most occasions, been dispensed with, by the aid of a British act of Parliament, but merely to accommodate Mr. Jenkinson, the present secretary at war, and to load the sinking revenue of that country, with a still heavier burden, by increasing the income of this sinecure place, from 2300l. per annum, which it was when the honourable gentleman held it, to 3500l. per annum, on Mr. Jenkinson's appointment; besides to 1700l. a year given to the former gentleman on the pension list; by which means Ireland was loaded with a burden of 5200l. a year, or an addition of two thousand nine hundred pounds, as long as the patentee, and grantee, and the children of the former, included in the patent, should live, and 1900l. a year,

year, in perpetuity, in addition. Nothing could be more usurious, nothing more ungenerous, than this job of the minister.

His Lordship then adverted to the union which had been recommended by a noble and learned Lord the last night [Mansfield]; and disclaimed, in the most explicit manner, forming any connection, or upon any possible motive, which could be held out, uniting himself with the present ministry, whom he believed to be all under the influence of some secret agent. The Marquis concluded with exhorting their Lordships to agree to the motion made by the noble Earl, as the only method of convincing Ireland, in the first instance, of the generous intentions of this country towards her, and that the conduct of ministers, as adverted to in the present motion, was not the real sense of the Parliament of Great Britain, but was solely imputable to the criminal neglect of the King's servants.

Earl Gower said, he should vote against the motion although there did not exist a single doubt in his mind, that the censure it contained was not well founded; his motive for adopting a line of conduct, so diametrically opposite to his private opinion, was the very great respect in which he held the decisions of that House. The men who were the object of public censure, had desired a few days to acquit themselves, and the dignity and wisdom of parliament was interested in giving them the short time they asked, in order to exculpate themselves. Independent of that consideration he was, for his part, fully convinced, that the charge of neglect urged against them, was strictly true, though not yet evident. Things were not yet ripe for proof, but they would, he ventured to say, be shortly so. He had the good fortune to unite the House last session, upon the terms of the address to the throne. He was in hopes that something effectual for the relief of Ireland would have arisen from the unanimous concurrence of their Lordships, in the amendment then he had the honour to propose. If, however, nothing had been done for the relief of that country, which he was pretty sure was the case, he assured the House he had done every thing in his power to keep his word, which he had solemnly pledged to their Lordships, he was ready to acknowledge, but he must add in his own justification, that his efforts had proved totally unfruitful. It was not in his power, nor in the power of any individual, to effect any such purpose.

He had presided, he said, for some years at the council-table, and had seen such things pass there of late, that no man

of honour or conscience could any longer sit there. The times were such as called upon every man to speak out : the situations of those two kingdoms, particularly at present, required sincerity and activity in council. He had supported the American war upon principle. It was his opinion, that the supremacy of this country should be first asserted, and afterwards, that every possible indulgence should be shewn to our colonies. He was confident, that the resources of this country were equal to the dangerous confederacy formed against us, but to profit by those resources, to give success to those abilities, energy and effect must be restored to government.

The Duke of *Richmond* charged all the misfortunes of our public calamities on the over-grown power of the Crown, its influence upon Parliament : and above all, the secret influence which had directed and controuled the councils of the present reign. He said, the noble Earl who spoke last, and who had lately presided in his Majesty's councils, had in fact acknowledged it, for he had said, that he could no longer remain in his former situation with honour or conscience. What was this but affirming in so many words, that the same secret influence and secret advice which had distinguished the present from every other reign since the Revolution, still continued to support every bad, and to counteract every good purpose which had marked the measures of the British cabinet, since the accession of the Earl of Bute, as minister of this country ?

Lord *Stormont* said, he was of opinion with the noble Earl who spoke early [*Hillsborough*] that no part of the charge contained in the motion had been proved, nor were the parties accused, admitted to their defence.

Lord *Camden* said the motion was so fully proved and substantiated in all its parts, that there was not a proposition in Euclid, the demonstrative proof of which might not, with equal justice, be controverted or denied. Ministers had been desired by the first authority in this country, by the King, Lords, and Commons, to give Ireland relief ; to enquire into the nature of their distresses, and remove the ground of their complaints. The question was, had they done so ? If they had, the motion must fall to the ground ; if they had not, did not the *onus* lie upon the ministers to state the reasons why they had not, or were unable to perform what they were entrusted to execute ?

He spoke highly of the Irish nation, of their loyalty and affection, their wisdom and their public spirit. He hoped, and believed, notwithstanding the ill-treatment they had received,

ceived, the cruel burdens imposed upon them by this country, and the succession of neglects and harsh measures they had felt, which had at length brought on an accumulation of distresses and calamities; that yet, all circumstances considered, they would still retain their affection and attachment for England.

Nothing should be done by halves, nothing niggardly or apparently accompanied with reluctance.

He lamented the state of public affairs, and the baneful consequences of the American War; yet he did not entirely despair of at least the friendship and good will, though, perhaps, we had no great right to hope for the sovereignty of America. Ireland was still ours, and devoted to us. This island with the aid of that kingdom, was still equal to make a most respectable figure among the powers of Europe; and if nothing better could be procured, he was persuaded, that with Ireland, rendered useful to herself, and of course to us, that we would still be a match for any confederacy which might be formed against us, provided America were only prevailed upon to act a neutral part; that he was inclined to believe might be yet accomplished by moderate, healing measures.

His Lordship then considered the question, so far as it appeared to him to be supported by proof, which he considered in several lights, according to the rules of legal interpretation, and concluded with observing, that the premises carried conviction on the very face of them, and as they did, he must therefore give his assent to the resolution moved by the noble Lord.

Lord *Chancellor* said, he did not rise so much to deliver his sentiments, and to defend ministers, as to support the mode of proceeding established in that House.

What was the purport of the charge, taking it in its utmost latitude and extent? That Parliament had desired ministers to do something, which some of their Lordships said they had not done. Here two questions were to be discussed, before any determination could be had. First, whether ministers had not executed what they had been desired? Secondly, if they had not, whether they were blameable? Nothing had been so much as suggested, to prove that the intentions and wishes of Parliament had not been fully complied with; and though they had not, still, if possible, less to shew, they could have been complied with. Both must however be proved, before the House could, with a colour of reason or justice, proceed to a vote, one way or

the other. Ministers might have failed in the performance of what was expected from them by Parliament, and yet be very innocent, nay, have acted meritoriously, though unsuccessfully; on the other hand, for ought that appeared to their Lordships, ministers had fully performed what was expected from them: in either event nothing appeared to shew that they had failed, or that they had not adopted the most proper measures for attaining the object which they had in charge, though their endeavours had miscarried.

The question being put the House divided: contents 37; non-contents 82.

December 2, 3.

No debate, Adjourned to the 6th: No debate.

December 7.

The Duke of *Richmond*, after taking a review of the state of the kingdom, and the powers we had to contend with, called upon the noble Lords to reflect seriously, whether it was possible for this country to proceed in this war, with any other prospect but of terminating it with dishonour, and more than barely probable, its ending in national ruin?

We were now engaged in a contest with the two chief branches of the House of Bourbon; indeed he might add with the whole House, since Naples and the other inferior branches of that House, would, if necessary, readily join in destroying our Trade in the Mediterranean, if we had any trade there. Genoa was also under the influence of France, and if we had a naval force in the Mediterranean, it would be better for Great Britain, that Genoa had declared herself a party in the war. That republic supplied France with ships, sailors, timber, and several kinds of naval stores. He had been informed, that there were no less than 4000 Genoese sailors aboard Mons. D'Orvilliers fleet, when it went to sea. Portugal was, at least, in a very doubtful situation, and if pressed closely by the House of Bourbon, however unwilling, must forbid us harbouring in her ports. Holland was unkindly disposed towards us, and full of resentment, for our seizing their ships. The only naval powers, who could afford us any relief, were Russia and Denmark, who stood by unconcerned spectators; and if they should be prevailed to take part with us, no great advantage, he was inclined to believe, would be derived from it, as Sweden, which was known to be in the interest of France, would nearly balance them in the opposite scale. Thus Britain stood alone, with one third of her subjects confederated with
this

this formidable alliance, without a single ally, either in Europe or elsewhere.

In such a moment of difficulty and danger it was a duty on their Lordships to enquire, what means the nation had left, what internal resources she had to bear her out in so unequal a struggle?

In the year 1775, the war in America exceeded the usual peace establishment about two millions, which was funded in 1776, the next year, five millions; the next six, and the last seven, in all twenty millions funded; besides this, the sinking fund, land and malt, produced, upon an average of the four years, nearly five millions, out of which deduct 3,800,000*l.* or thereabouts, for the ordinary peace establishment, it being the average amount of the ten preceding years, from 1765 to 1775; and here was nearly five millions drawn from the sinking fund, for the purpose of carrying on the American war; in all twenty-five millions. Twelve millions more would, at least, be funded in the course of the present year; and if peace was to be made the next day, he believed it would not be stating it too high, to say the tail of the war would be full eleven millions. It amounted to that sum, at the conclusion of the last war, in 1763, and was afterwards funded; so that including the unfunded debt, which was said to be little short of fifteen millions, the funded twenty; drawn from the sinking fund five millions; the loan to be funded this year, twelve millions; the tail of the war eleven millions; and the whole would be about sixty-three millions, which added to the national debt of one hundred and thirty-five millions, would make the whole of the national debt, funded and unfunded, the last day of December 1780, one hundred and ninety-eight millions. The interest of the national debt, as it stood in 1775, was 4,400,000*l.* per annum, the interest of 65,000,000*l.* of new debt, at 6 per cent. upon an average, is about 3,800,000*l.* both making an annual interest, growing and payable, and for which the whole landed property of England was mortgaged for upwards of eight millions.

Such would be the state of this country, in respect of its finances, at the close of the next year; and only better by twelve millions if peace was concluded the very instant he was speaking.

France had borrowed last year about 1,700,000*l.* and this year about 2,000,000*l.* sterling; nor would there be a single tax upon the people to defray the interest of either loan. Mr. Neckar had, by savings, arising from a reform

in the collection and expenditure of the finances of that country, raised a fund more than sufficient to pay the interest. Thus while our inveterate enemy was adopting the wise system of œconomy, this country was daily plunging deeper into boundless extravagance. The military now in pay was encressed so greatly, that it was such as he would be bold to say, no country in Europe could long uphold. The estimates in the other House were upwards of 180,000 men, including the artillery; besides 85,000 seamen and marines; and the troops on the Irish establishment, making, in the whole, 273,000 men.

It was well worthy their Lordships' attention to see how this immense force was now distributed and employed in the several parts of the empire; 70,000 in America, engaged in a defensive war; 12,000 in the West-Indies, acting likewise on the defensive; 11,000 garrisoning the Mediterranean fortresses, and the remainder within the island, which amounted to upwards of 90,000, for its defence.

The public expenditure he said was lavish and wasteful, to a shameful degree. Œconomy, the most rigid and exact œconomy, was become absolutely necessary. An attention to the never-failing source of wealth, was the only possible means for working national salvation.

The motion he had to make when it came to be read, would very fully express his own sentiments. Its main purport was a reduction of the civil list expenditure, which was, by a grant of Parliament two or three years since, augmented to the enormous sum of 900,000*l.* per annum. He protested that he did not wish to abridge his Majesty of any thing which was necessary to support the splendor and dignity of the Crown; but at so trying a season as this was, it was always in his opinion, necessary that the example should be set by the sovereign; and he had not a doubt after such a beginning, that there was one of their Lordships, who would not cheerfully relinquish such a part of their public emoluments, as his Majesty might think proper to recommend.

His Grace concluded with making the following motion:

“ That an humble address be presented to his Majesty, to beseech his Majesty to reflect on the manifold distresses and difficulties, in which this country is involved, too deeply felt to stand in need of enumeration.

“ To represent, that amidst the many and various matters that require reformation, and must undergo correction, before this country can rise superior to its powerful enemies; the waste of public treasure requires instant remedy; that
profusion

profusion is not vigour; and that it is become indispensably necessary to adopt that true œconomy, which, by reforming all useless expences, creates confidence in government, gives energy to its exertions, and provides the means for their continuance.

“Humbly to submit to his Majesty, that a considerable reduction of the civil list, would be an example well worthy his Majesty’s paternal affection for his people, and his own dignity, would not fail of diffusing its influence through every department of the state, and would add true lustre to his Crown, from the grateful feelings of a distressed people.

“To assure his Majesty, that this House will readily concur in promoting so desirable a purpose, and any one of its members will cheerfully submit to such reduction of emolument, in any office he may hold, as his Majesty, in his royal wisdom may think proper to make.”

Lord *Stormont* said, the state of this country might be summed up in a very few words; the noble Duke who made the motion, stated it as part of the grounds of his motion; we were involved in a dangerous and expensive war, and obliged to contend with one of the most formidable confederacies Europe ever beheld; we were compelled to enter into this war upon a principle of self-defence and self-preservation; and no other alternative was left us, but to proceed to the utmost exertions, or submit to a disgraceful, ignominious, and ruinous peace; the prime condition of which professedly would be, to consent to a dismemberment of the empire, by declaring our rebellious subjects in America, a sovereign and independent power.

So far he went with the noble Duke, relative to the choice Great Britain ought to make, of one evil in preference to another. His Grace’s motion pointed out the choice, and as an alleviation of the burdens to be incurred in prosecuting the war with vigor, recommended, in very strong terms, the immediately adopting a system of œconomy; and to shew the necessity of such a measure, stated that there had been a waste of public treasure. He acknowledged, that there had been a total want of œconomy during the present administration. He did not know that it was peculiar to the present administration, he rather looked upon it to be incident to a state of war.

He did not think it necessary, to the discussion of the question, to follow the noble Duke in his financial detail; and though he meant to avoid taking any particular notice of the favourable representation made of the French finances

by

by his Grace, he was well satisfied in his own mind, that it proceeded on misinformation, and was far from presenting the true financial condition, or military strength of that country.

Earl of *Derby* said, he had been the mover of the addition to the civil list two years ago, and he thought it necessary to say what his reasons were for thinking, that though it was proper then to increase, it would now be proper to retrench the civil list establishment. The times were changed; the situation of the country was different; our revenue was lessened; our resources were on the decline.

Earl *Bathurst* said, he would vote against the motion, from a conviction that it could not be of any service, and that it was of an improper tendency. Unacquainted when he came to that House of what the noble Duke's motion would be, he could not state all those objections which mature deliberation might suggest. It was inconsistent and unjust to attempt to withdraw from his Majesty what had been so unanimously granted him. It was paltry and mean to tax the salaries of the servants of the Crown; as the revenue so raised would be trifling, and totally inadequate to any great purposes of national expenditure. If such a measure should be adopted, let it be as in Holland once, when money was given in to the public treasury without account or to be accounted for. He said, that if a system of œconomy was to be adopted it should not begin at the Crown, the splendor of which should be maintained by an ample revenue for the honour and dignity of the empire; that œconomy should be found in the disposal of public money in the several departments of government; that this should be carefully looked into, and he trusted that they would prove, as the admiralty did, prudently and wisely administered. He said, that all our great naval armaments had not at all raised the price of timber, a circumstance which clearly proved the attention of the first Lord of the admiralty, who had laid up a greater stock of seasoned timber than had been known for a long time before. The trifling amount of the retrenchment, proposed by the noble Duke, would be as a drop in the ocean, compared to the public necessities; yet if the example was made general, he had no objection. But while he disapproved of the motion, he could not avoid saying, he most heartily wished, that a more clear and satisfactory manner was adopted in stating the public accounts.

Lord *Onslow* said the question was this; are we to publish to the world, that we are so reduced as to be unable to pay the

the income we so freely granted his Majesty? Such a proceeding must sink us in the eyes of all Europe, and instead of assisting, must in fact injure us.

Earl *Dartmouth* remarked, that the noble Duke opened his motion with so much dignity and temper, that he expected and hoped it would have been entitled to his concurrence. He was however much surprised and disappointed to find so inadequate a mode pointed out, to extricate us from our present difficulties; he moreover thought it a censure upon the proceedings of that House. He wished to see the splendor and dignity of the Crown supported; and imagined every member of that House, beheld with satisfaction the increase of his Majesty's family, and consequently the greater necessity of an ample revenue.

The Duke of *Grafton* said, that the only possible objection which could arise in his mind to the motion, was, that it did not originate from the throne, as it would have come from no quarter with such propriety. It would be considered as an act of the greatest goodness and wisdom, and would be looked upon, as coming from the father of his people. Surely if the King had any real friends about him, they would have suggested such a plan, as the most effectual means of conciliating the love of all ranks, uniting his people, and restoring the lost energy of the empire. No man wished more than he did to see the splendour of the Crown supported with dignity, nor that his Majesty should enjoy every elegance and conveniency of life, suited to his elevated station. He knew he could grant a considerable deduction from the civil list; Queen Anne had done it, in a war far different from the present; and her civil list was lower than that of his present Majesty, in the annual sum of three hundred thousand pounds.

His Grace made some observations on what had fallen from the noble viscount, in high office, who spoke early, reminding his Lordship, that he had either been very imperfectly informed, while Ambassador at the court of Versailles, or having given good and genuine intelligence of what was passing, while he resided there in the capacity of a public minister, he had not met with that degree of credit his information was entitled to. In either event his conduct was paradoxical, when compared with the language he held this day. If the official accounts, transmitted to ministers by him from Paris, relative to the progress and completion of the treaty between France and the Congress Delegates, was not believed, he could not see how it was possible for the noble Viscount to act with men who had treated him in so unbecoming

unbecoming and contemptuous a manner ; if, on the other hand, he put a confidence in the court of Versailles, it was plain, that he knew nothing of the views or the disposition of that court, till it was too late ; so late, as to import nothing more, than passing a declamatory censure on the perfidy and ambition of the court of Versailles.

The Marquis of *Rockingham* said, that all temporising expedients to relieve the people would prove ineffectual ; that a reformation of the constitution was called for ; that its principles were perverted ; and that until it was restored to its native and original purity, nothing great or decisive could be expected. He said he had observed, with deep concern, the influence of the Crown for some years increasing ; that the augmentation to the civil list in a great measure confirmed it, as was evident by the continual majorities always obtained in that House, upon any question the minister wished to carry. He said that if he was a member of the cabinet, he would acquaint his Sovereign boldly with the state of his people.

Lord *Townshend* gave his concurrence to the motion, provided it extended to all places under government ; he said he knew it was what the people expected, for that, without being seditious, his intercourse with mankind was very general ; that all ranks felt the general calamity, and expected relief. He said, that whatever were the emoluments of his place, he would cheerfully give them up for the good of his country.

The Duke of *Richmond* said, that there were certain cases in which any deduction from a pension was highly improper ; that those settled upon persons who had wasted fortunes in the service of their country should be deemed sacred ; that the Pelhams, the Walpoles, and the Pitts, were names ever to be remembered with too much gratitude to be included. He said, he meant his motion more as an example, and that coming from the throne, its influence must certainly have most weight ; as a proof of the influence of a great example, he related from the history of America, the well-known story of Montezuma ; a poor wretch who was expiring by him on burning coals, complaining of his agony, Montezuma silenced him at once by this reply, " Do you think I am upon a bed of roses ? "

Earl of *Derby* said, though Parliament had voted greater sums than ever was known, yet never was this country so badly defended, nor is the protection of our distant dependencies better taken care of. He quoted several instances, both at home and abroad, in proof of this assertion, and,
among

among others, the state of Jamaica; the military force on that island, when he received his last accounts did not amount to more than 1700 upon paper, and he believed, when they came to be mustered, they were short of 1300.

Lord *Amherst* said, respecting the state of Jamaica, in reply to the last speaker, and to another noble Lord [Earl *Shelburne*] who, on the first day of the session, said, that the Liverpool Blues were reduced, by sickness and other incidents, from upwards of 1100 to 750. All he could say in answer to both assertions was; that if the facts were as they had been stated by the noble Lords, they had much better intelligence from Jamaica than he had; for by the last returns he received from that island, the Liverpool Blues had lost but sixteen dead, and three missing, from the day they embarked at Spithead to the date of the return.

Earl of *Derby* said, he had seen a return of the state of that regiment as well authenticated, and as deserving of credit, as that produced by the noble Lord. The noble Earl who asserted what the noble Lord now repeated, was right when that assertion came to be explained. The noble Earl did not say, that so many of the Liverpool Blues were dead; what he said was, that so many were wanting, and unfit for actual service. He could now support the noble Earl's assertion, and meet that of the noble Lord, by affirming, though perhaps no more had fallen a prey to the ravages of the climate, there were authentic accounts in town, that upwards of three hundred and sixty of that regiment, when that account came away, were down in the hospital, and he believed, considering the fatality of the climate, that instead of nearly 1200, the Liverpool Blues did not, at that time he was speaking, consist of eight hundred, exclusive of the convalescents.

Lord *Chancellor* said, he was perfectly ready to acknowledge, that the motion carried no sort of personal accusation of his Majesty, and that the noble Duke had not the most distant intention of casting a reflection on the King, as little, his Lordship declared, in not having given any previous notice of his motion. He then spoke to the motion; the first two paragraphs he considered as merely introductory; it would nevertheless be right to see whether the facts stated in those paragraphs were either true, or so known to their Lordships, that it would become that House to admit them as a part of an address to the throne. The first beseeched his Majesty to reflect on the distresses and difficulties in which this nation

nation is involved, too deeply felt to stand in need of enumeration.

This assertion his Lordship examined, and asked, who knew of these distresses so stated? How were they before the House? What investigation of their Lordships, as a House of Parliament, were they the result of? The next paragraph stated, that "the waste of public treasure required instant remedy." This was an assertion of some importance, and not surely to be hazarded on mere speculation. If the fact were so, the department of government ought surely to be pointed out in which the waste of the public treasure lay, otherwise the charge was unjust, because it applied to all public offices alike. If the fact were not true, the injustice was manifestly still greater. In the course of the debate some offices have been talked off, and their oeconomy, or their extravagance and profusion, differently held up by different noble Lords; but though the Admiralty Office in particular, with one or two others, had been treated of, no specific declaration that there was a waste of the public treasure in either of them, was laid down as a fact capable of being proved by any one noble Lord, much less had such a fact been attempted to be established in parliamentary form; and that being the case, he submitted it to the house in general, how far it was decent, how far it was just, to vote an address, which in any part of it contained a general and undefined charge against the King's servants.

His Lordship next considered the two latter propositions, which he termed the substance of the motion; the first, "advising his Majesty to make a considerable reduction of his civil list;" the other, "assuring his Majesty that every member of that House would cheerfully submit to such reduction of emolument in any office he may hold, as his Majesty, in his royal wisdom, might think proper to make." The former of these two, his Lordship said, even were it practicable or proper to make any reduction in the civil list, was so worded, and it strewed such difficulties in the way of its execution, that it was impossible for any minister to advise his Majesty upon the subject. It stated a considerable reduction. Let noble Lords reflect a moment on the import of the word *considerable*. What did it mean? It had no limited sense. In the common acceptation of it, it was held to convey a large idea. Was a moiety of the civil list the considerable part alluded to? Were two-thirds of it? Was one-third of it? For to each would the word be equally applicable.

cable. What minister could, under such a direction, venture to give his Majesty any counsel, or explain to him what the House desired. Again, let noble Lords consider, that if the motion were carried, it could not enforce the advice. It was no act of Parliament. His Majesty's civil list was established at its present amount by act of Parliament. Besides what part of the civil list was the reduction desired by the motion to be made in? Their Lordships all knew, that many different establishments were provided for out of the revenue of the civil list, with the payment of which his Majesty had no more personal connection or interference than [their Lordships.

With regard to the last proposition contained in the fourth and last paragraph of the motion, how was that to be carried into execution? He supposed by the assurance it contained, that "the House would readily concur in promoting so desirable a purpose;" it was meant that his Majesty should understand they were willing to follow up the address by proceeding to pass an act, authorising the purposes now avowed. But how would their Lordships come at the true source of each species of official emolument? They would please to recollect to what an extensive investigation the business would necessarily lead them; they must go through an enquiry of a very deep and intricate sort, into the origin of all the Exchequer places and profits, and would have to search into a variety of offices, and a variety of perquisites, that had no immediate reference to the civil list or the Court. He declared he saw no probability of their Lordships being able to go through so immense and so difficult a business, with sufficient effect to remedy the evil, if such it were, or to assist the public by lessening the emoluments of private individuals employed in various situations, and paid out of the public purse.

His Lordship endeavoured to shew that the object of the address, if the words and language of the motion fairly avowed it, was both inexpedient and impracticable; if it were meant only as another means of turning out the ministry, he delivered it as his opinion, that it would be more fair and more honourable to come forward in a more explicit, a more direct, and a more obvious manner. He said, considering that the address which had been moved was the plain business of the day, he was much astonished at having heard the debate take so wide a range as it had, or that noble Lords should carry their arguments to such an extent. A

great

great deal, he observed, had been said that day, which had no reference whatever to the subject before their Lordships; such as respecting the defenceless state of Plymouth last autumn; the distribution and employment of the military force of the empire, land and naval, during the last campaign in every quarter of the globe, who served in the navy, and who did not. These were all topics of separate and opposite natures to that under discussion, and should not have been hinted at. His Lordship concluded with summing up his separate objects against the four distinct parts of the motion, declaring, that he was prepared to give the motion and each distinct and separate part of it, a general, or particular negative.

Earl of *Shelburne* said, that notwithstanding the general weight and authority with which every thing came from the noble and learned Lord on the woolsack, he did not despair of convincing his Lordship before he sat down, that his objections to the motion were totally unfounded, and he even hoped to be able to make a convert of him, for that night at least, and to gain his vote in support of the motion. Indeed the task he had undertaken, he said, was not a very arduous one, for the noble and learned Lord's arguments were so loose and so flimsy, that they were easily answered. His Lordship then proceeded to meet the noble and learned Lord's objections, in the same order of an arrangement he had produced them; and the first with regard to the assertion in the beginning and introductory paragraph, 'that this kingdom laboured under manifold distresses and difficulties.' He said, if the noble Lord was ignorant of that fact, he was the only man in the kingdom who was yet to learn it. Our calamities, our distresses, our disgraces, were so numerous and so notorious, that it was altogether unnecessary to recapitulate them. They had rendered this country, what a noble Earl [*Derby*] had early in the debate very properly thrown out, the pity of all the world; despicable in the eyes of our avowed enemies, as well as those who had not declared themselves such. So earnest, however, was he, he declared, to get the noble and learned Lord's vote, that he would undertake the whole paragraph should be left out, if that would remove his scruples. With regard to his second objection, the waste of the public treasure, he said, there again the noble and learned Lord was the only ignorant man in the kingdom. It was a fact, which had not only been asserted by the noble Lords who supported the motion in the debate, but it had been admitted, acknowledged,

ledged by all sides of the House; even the noble Viscount, the newly appointed secretary of state had himself declared the fact to be truly stated. Nobody, excepting only the noble and learned Lord, had attempted even to doubt; still, however, so anxious was he to satisfy the noble Lord, that he would also undertake that that whole paragraph should likewise be crossed out, for he dared venture to answer for the noble Duke, with whom he acted in the fullest manner, and with the most cordial union, an union which was not like that so often alluded to by different Lords in office, a mere name without an existence, but a real, solid, well-grounded unanimity, founded in principle and cemented by confidence, and a proper regard for their country.

His Lordship then said, that supposing those two paragraphs to be omitted, the motion would be confined to the main substance of it, viz. the request to his Majesty to become an example of œconomy, by a reduction of his civil list, and the assurance that they, as Lords of Parliament, would follow the example, and thus begin what the noble Marquis had so properly termed a constitutional reformation, without which this country could not be saved. With regard to the objection the learned Lord had made, that there was no specific request as to the *quantum* of the civil list to be reduced, he did not expect to hear that urged as an objection. On the contrary, he had flattered himself that the handsome manner of submitting it altogether to his Majesty and his ministers, would have been the very circumstance that would have recommended it and ensured to it his Lordship's approbation. The learned Lord had said, how are his Majesty's ministers to advise his Majesty to begin the reduction? He was amazed at the question. In answer, he must say, not, as had been hinted, in his own personal expenditure, he did not desire to curtail his Majesty of any one of his enjoyments. If he had a picture or a statue more valuable than the rest, he should be well pleased to see it in the palace of his Prince, whose happiness and whose splendour he was far from wishing to abridge in the smallest instance, or in any one particular whatever. There were, however, several heads of expenditure of the civil list, which loudly called for a reform; he would tell the noble and learned Lord more than one: and here he could not but feel himself astonished, that the new secretary of state should have talked, as if he knew not, where there wanted œconomy now more than there did formerly. The noble Viscount must be aware that the money paid for fo-

reign embassies was enormously swelled indeed. In the reign of King William, an æra so glorious, that every man who loved his country regarded it with admiration, and looked at it with contrition, and heart-felt sorrow from a conviction what a high pinnacle of happiness, prosperity and dominion this country had fallen from; an æra, when we were at the head of a confederacy of the noblest kind! At that time the expence of foreign embassies was about 43,000*l.* and now they were swelled to the extravagant sum of upwards of 90,000*l.* Ambassadors then did their duty; secretaries of state did their duty; they understood each other; they did not come down to Parliament amusing the House with idle accounts of what one did abroad, and how the other received it at home; but all went as it should do: this country flourished, she had powerful alliances, she was not deserted by all Europe, her name was dreaded, her flag revered; and she was treated with universal respect and universal admiration! The noble Viscount had himself been long abroad, he did not doubt he had done his duty in his various embassies. He had not been inattentive, when Poland was dividing, to form connections for the future interest of his country; when the war between Russia and the Porte was on foot, he did not doubt the noble Viscount had taken care to sow the seeds of alliances for this day: at Vienna he presumed he had done the same, and that now he was high in office, if they were not yet come, treaties offering assistance would be sent to him from various quarters, and his country would now reap the benefit of his services, and would be amply repaid for the vast sums of the public money which the noble Viscount had received.

Secret service money was another branch of the public expenditure, drawn from the civil list, which called for immediate reformation. This article of late years had swelled to a most enormous bulk. In the highest year of the late glorious war, under the counsels and auspices of a Pitt, it had never exceeded 237,000*l.* per annum, whereas by the last accounts, it was nearly approaching to 280,000*l.*; at a time too, when perhaps this country was better informed of what was passing in foreign courts, than at any precedent or subsequent period of our history. But what was the case at present? Ministers knew nothing; they were totally in the dark, or received information merely to deceive them, and those they employed at foreign courts. The admirals complained, the generals complained, that either ministers had no intelligence,

or

or that it was such as only served to mislead them. They had been explicit and uniform in their declarations and imputed their disappointments and the disasters which had happened in the course of the present war chiefly to a want of proper intelligence.

He made no doubt but the noble Viscount when in a public character, proved himself a faithful steward of the public money. He was persuaded that however unfortunate he might be, not to procure credit from his present colleagues in office, to the communications he made from time to time, of what came to his knowledge; that he always obtained the earliest and most authentic information. Money thus spent, was well laid out. He learned the intentions of France, the intrigues of the Congress delegates; and the various tempers of the court of Versailles, he made no doubt, as soon as they had existence; yet however highly he might think of the noble Viscount's integrity and abilities, about his œconomy respecting the public money committed to his care and disposal, there were strange reports gone abroad, that money had been squandered; that the intelligence procured, and he presumed amply paid for, was in fact no intelligence; that spies were placed about his Lordship's person, to deceive and betray him; and that no intelligence was much preferable to that of a fabricated and spurious nature.

His Lordship then took a wide field relative to the army extraordinaries, contracts, contractors, and the shameful waste of money voted every year, under that head. The last year, he said, the army extraordinaries had amounted to upwards of three millions, and it was but reasonable to conclude that they would be at least as high the present. He spoke then of Mr. Atkinson's rum, and other contracts, and a variety of particulars respecting the whole contracting tribe. He said, that he moved towards the close of the last session, that an account of the extraordinaries of the last four years, be laid before that House; but was prevented by the lateness of the season, and other concurrent circumstances, from taking the papers of the table in order to frame a motion on them. He had not however relinquished his intention; for if the present motion should receive a negative, he would most assuredly make the consideration of the army extraordinaries, the subject of some future day's discussion.

The question was at length put, contents 37, non-contents 77.

No debate, until December 13.

December 13.

In a committee on the American high treason bill, the Earl of *Effingham* said the bill was totally unnecessary and nugatory, as we had treated with America upon terms of equality, both in a deliberative and military capacity. We had on the former head, offered our colonies terms, little short of independency and established with them a regular exchange of prisoners. The bill had been hurried on in a very unparliamentary manner. It was read in a thin House on Friday, for the first time; the House was out of the usual course of business, in order to read it a second time, and now their Lordships were desired to go into a committee upon it; the bill was of a very extensive operation, he said, and, for that and the reasons he had already assigned, he moved that the order of the day be discharged.

The Lord *Chancellor* made a short reply; he desired the noble Earl to consider, that the House was not prepared for such a motion, and he observed, that the motion now made; was very serious, and ought not to be taken up in so thin a House. If the noble Lord wished to debate the bill, he recommended to the noble Lord, to move an adjournment. He was persuaded that his Lordship did not mean to take the House by surprize, an imputation which he might lie under, should he persist in his motion.

The Duke of *Richmond* was astonished, how the learned Lord could interpret the present motion as an attempt to surprise. Surely it was a strange perversion of Parliamentary language, to call a motion, which was intended to bring the order of the day into discussion, an attempt to surprise. That the House was not thin, he appealed to every noble Lord present.—He had not seen a more respectable meeting.—He saw an honourable gentleman beneath the bar [the Lord Advocate] who could inform their Lordships, that with fewer members present, another House could vote away millions of money. The object and import of the bill was shocking in his idea: he could never consent to suspend the *habeas corpus* on so trivial, so ridiculous a pretence.

Earl of *Hillsborough* said, it was not usual to enter into debate on a bill on its commitment. The second reading was generally chosen for discussing it; and certainly such Lords as trusted to the common practice of the House on that occasion would be surprised.

Earl of *Effingham* asked the noble Lord whether it was true that a convention had been made between Paul Jones and

and Captain Pearson. [No answer.]—He had constantly opposed this bill; he could hardly conceive a reason for the suspension of the *habeas corpus* act.

The Duke of *Manchester* said that so far from there being any reason to charge the noble Lord with intentions of surprise, it might be said with truth, that Lords who disapproved of this bill were surprised in the first instance. It had been brought into the House on Friday last, after they had heard counsel in a cause; and when he was sensible there could not be six Lords in the House. He had left it when there was not that number, and it was brought in after he went away. It had been read a second time on Saturday, a day when Lords expected no business. Who was it therefore that had surprised the House? It had been carried through with all the rapidity that the forms would permit; and with a rapidity which he must say, became a subject that could not bear daylight. He said that this bill had existed without effect. Had there been one person detained under it? *Ethan Allen*, after experiencing all the inflictions that cruelty could invent had been restored in chains to America. The doors of the prison had been somehow set open for the escape of Captain *Cunningham*. A Mr. *Carmichael*, a known agent of the Congress, had been permitted to reside in this country, though on his departure, when it was ascertained that he was out of reach, a warrant had been issued to apprehend him. Captain *Hutchins* had been confined, examined, and dismissed, without even the forms of justice.

He would venture to say that administration dared not to execute the powers with which they were invested; they dared not because there were more British officers in the hands of America than we had of theirs, and the fear of retaliation deterred them. It was therefore, in fact, to invest ministers with a power little short of the French *lettre de cachet*, and he would never submit to, nor silently sit, while such a bill was proceeding through the House.

Earl Ferrers said, had he known that it was to have been read on Saturday, he would certainly have come and objected to it on that day; but it was so uncommon, so extraordinary, that neither he, nor many others, suspected that a bill of such importance could have been read on such a day. The House now divided. Non-contents 14; Contents 11. Adjourned to the 15th.

December 15.

Duke of *Richmond* moved, "That an humble address be presented to his Majesty, that he will be graciously pleased to

give directions that there be laid before this House a copy of Lord Weymouth's answer to the rescript or manifesto of the Marquis D'Almodovar, of the 16th of June last; and also a copy of the justifying memorial of the King of Great Britain, in answer to the exposition of motives of the court of France."

Also, "A copy of the exposition of the motives of the conduct of the king of France towards England."

Also, "Copies of two royal schedules of the king of Spain, together with the inclosures of a circular letter published in the month of June last at Madrid, relative to the disputes with Great Britain."

And also, "A copy of a manifesto of the motives which have induced his Catholic Majesty to withdraw his ambassador, and to act hostilely against England, lately published at Madrid."

Earl of *Hillsborough* said, he did not know who was the proper officer to lay before their Lordships papers which had never been delivered to any of his Majesty's ministers in form.

Duke of *Richmond* said, that what had fallen from the noble Earl, astonished him, and he could only impute it to the noble Earl's having so very lately come into office; surely it was not possible that the great sums which the foreign embassies cost this nation, were so ill-bestowed, and this nation so ill served, that no copies of the papers in question had been transmitted from any minister at the several foreign courts to our ministers at home. Indeed it was impossible that the noble Earl could be founded in his declaration, that there were no copies of the papers in question in his office, because our court had published an answer under the title of a Memorial of Justification in answer to the exposition of the court of France. An answer could not be published without a previous possession of the matter replied to, and if for a moment it was allowed that our ministers abroad had not transmitted home a copy of papers of so much importance to this country, it was directly confessing that our ambassadors had grossly neglected their duty, and was not only matter of blame, but matter of impeachment. The motion was merely a copy of a motion which had two days since been made in another place, in the House of Commons, where the ministers, perhaps, knowing their duty better than the ministers there did, made not the least objection.

Lord *Grantham* got up to defend himself from any part of the censure being imputable to him, which the noble Duke had let fall on the heads of ambassadors who neglected their duty. His Lordship said, that the memorial of the court of Spain

Spain was just about to be published when he left Madrid, that it contained merely a repetition of arguments that had been used and stated again and again by that court to ours, and that even if he had thought it his duty to get a copy of it, it was not in his power.

Earl of *Hillsborough* repeated his objection, declaring at the same time, that it was very true, the British court had answered the exposition of the court of France; that exposition of motives was in print [*All these papers are in the Remembrancer,*] and might easily be had. The term *copies* implied that the person who presented them was in possession of the originals. He had not the originals of the French and Spanish papers, and therefore it was not in his power to present an official copy.

The Duke of *Richmond* said, he was aware that the noble Earl in the secretary of state's office had not the originals, and that whenever the papers were brought, they would be merely copies of copies. With regard to the noble Lord, who had lately been ambassador to Madrid, he declared he had not the least thought of pointing at him, in what he had before said; he did not doubt but the noble Lord had done his duty in every respect, and he gave him full credit for his declaration, that the Spanish memorial was on the point of being published when he left Madrid, and that had it come to his hands, he would certainly have transmitted it to the British ministry.

The motion was agreed to.

Earl of *Shelburne*, who had desired the House to be summoned on this day, now rose, and entered into an ample discussion of the extraordinaries of the army.

On the comparative proportion between the extraordinary military services of former reigns, with the present, he stated the following facts. That the extras of King William's reign, though a war was carried on in Flanders, Ireland, and the West Indies, did not exceed, in the highest year of the revolution war, 100,000*l*. That the next, the succession war, when we maintained a war in Germany, on the banks of the Danube, in Flanders, Spain, Mediterranean, North America, and the West Indies, that the extras never exceeded 200,000*l*.; nor in the first war of the late King, that with France and Spain, more than 400,000*l*.

That during the late war, the greatest, most extensive, and expensive that this country ever knew, the expences of 1757 were but 800,000*l*. while those of 1777 were 1,200,000*l*. and one million granted for the transport service, in all upwards of

two millions. That the highest year of the late war, that of 1762, when our arms were borne triumphant to every quarter of the globe, when we had an army of eighty thousand men in Germany, besides conquering or victorious armies in North America, the British and French West Indies, the East Indies, in Portugal, on the coast of France, at the Havannah, &c. that the whole of the extras were not more than two millions; whereas the last two defensive military campaigns would be found, when the latter of the two was made up, to amount to the enormous sum of upwards of three millions each.

In 1775, he said, there was voted, though no war subsisted the preceding year in America, 80,000l.; a sum by some thousands more than was voted in the highest year of the war succeeding the Revolution. In 1776, 845,000l. when our military operations were confined within the narrow circuit of the town of Boston, Charles-town, and Bunker's Hill. In 1777, the extras were 1,200,000l. besides a million and upwards for transport service; in 1778, more than three millions; and he presumed those of the present year, if not more would not be less. In short, the very extra military sources, in the four years last mentioned, would be about eight millions and a half; a sum very nearly equal to the expenditure of the whole of the first four years of King William's war, and fully equal to the first two years of the great Marlborough's immortal campaigns.

He next proceeded to account particularly for the immense disproportion.

His Lordship observed, that, during the last war we thought it necessary to employ but one contractor, though the noble Lord, at the head of the Treasury, deemed it necessary to split the present contract into twelve parts, with a view, it might be presumed, to oblige twelve different friends, who would support him in his favourite measure of the American war.

What were the terms of Sir William Baker's contract, who was the contractor during the late war? To furnish provisions on the spot, in America, at six-pence a ration. What was the bargain with the present contractors? To deliver rations at the same price in Corke. Here then was the whole freight, insurance, risque, &c. taken out of the pockets of the public, and put into those of his Lordship's contracting friends. Besides this, Sir William Baker was bound, by a special undertaking, to have a partner, who was to reside upon

upon the spot, and who was obliged to have a voucher for every single ration he delivered, before his account could be passed.

After entering into a very minute comparative estimate of the conditions of the two contracts, and demonstrating and pledging himself to prove that every ration delivered in America cost Government two shillings instead of sixpence, which they cost the last war, he enumerated several expences, which were incurred in addition, though totally unknown, at the former period. Among others, a Mr. Gordon at Corke in Ireland, who charged the sum of 40,000*l.* for his particular services. He presumed, if any pretended service was done for this money, for none appeared on the face of the account, it must be something between the delivery of the provisions by the merchant contractor, and the shipping of them. Here the minister was not contented to gratify his friends in receiving goods which should have been delivered on the spot in America, but to serve other friends, and accommodate his contracting senatorial supporters as much as possible, he threw away 40,000*l.* of the public money, for the purpose only of removing the provisions from the ware or slaughter-house, to the ship or lighter,

His lordship next took a view of contracting in general, and, in his circuitous salutation of the whole contracting tribe, paid a very particular attention to the celebrated Mr. Contractor Atkinson.

He observed, that this favourite of the first Lord of the Treasury had the following contracts given to him: in 1775, 80,000*l.* in 1776, 400,000*l.* in 1777, 600,000*l.* and in 1778, 700,000*l.* He could not pretend to say what his contract might amount to in 1779, the account not being as yet delivered in; but he could say what they had already amounted to in the last four years, the enormous sum of one million seven hundred thousand pounds, and a considerable fraction. This was the favourite and favoured contractor, who had one contract made with him for five thousand hogsheads of rum at a double price, a price actually double at what it could be purchased for on the keys of London. A committee of the other House was specially appointed to enquire into these rum contracts; and what the issue might be was easily foreseen, when it was considered, that out of the twenty-one persons of which the committee was constituted, there were sixteen of the minister's confidential or intimate friends, and but five independent gentlemen. Yet willing as they might have been to oblige their patron and protector, appearances were thought proper to be observed: they could not with

any

any decency get rid of the dilemma of acquittal or censure, without taking a middle road; they pleaded ignorance in justification. The majority at length solved the difficulty, by referring the matter to a committee of respectable merchants of the city of London [Messrs. Long, Neave, &c.] trading to the West Indies. They examined the contract; they disapproved of it, and reported accordingly. The minister sent back again, and a third time, he believed, at the request of the favourite contractor; but the committee were firm as to their resolution, and finally determined upon the largest scale of allowance against the contract. He understood the last account the minister had given of this curious affair, was in his place in the other House in the course of the last spring. He then gave the latter part of the narrative now stated, adding, that he had called upon Mr. Atkinson to fulfil his agreement, by submitting to the arbitration just mentioned; but that Mr. Atkinson still continued obstinate, and that of course he should be obliged to compel him, as the nation was not bound to perform an agreement, null and void in itself, because made upon misrepresentation or misapprehension of the contracting parties. Yet nine months had nearly elapsed since the noble Lord had given this intimation; and it had not yet appeared that any one step had been taken to compel Mr. Atkinson to refund. He did not blame Mr. Atkinson, the provision contractor, Mr. Gordon, nor any other man, for making as good a bargain for themselves as possible. It was not their fault, and nothing was farther from his thoughts, than to impute any crime to them. They had, particularly such of them as were merchants, a right to better their fortunes, and provide for their families. The contracts were afloat, it was the distemper of the state, and the disorder of the times. It was fair game, and if the public money was to be squandered, they were as well entitled to a share of the spoil, as any of their contemporaries or competitors; but it was the minister, and the minister solely, that was culpable. What does the minister do? He contracts for 400,000 gallons of rum, at double the price he might have purchased it on the quays of London, without importing a syllable of it to the Treasury board. The contract was lying for eight months on his Lordship's desk, or in his pocket, before he communicated the transaction to any one of his brother commissioners. What does the minister next do? He enters into a second contract with the same man who had deceived him in the first, and a third or a fourth, amounting in the whole to a sum little short of two millions! He would not say, that the noble Lord had any personal interest in the affair; he was strongly

strongly inclined to believe not. He would not say even that his general mode of contracting was founded in motives of serving corrupt purposes; but he would maintain, that ignorance or negligence were criminal, when they led to public peculation. It was no defence to say, that his Lordship's hands were clean; that his conscience was clear; the principal point on which the question turned was, had the money of the people been squandered? Was it not his duty to see that it was not? If it was, then, he was guilty of a breach of duty of the highest and most atrocious nature. He took the responsibility of the rum contract more particularly on himself, by making it in private in his closet or parlour, and if ignorance were a good apology in any particular case, it could not be admitted here, because he departed from the usual mode of conducting business, and by so doing bound himself to the consequences.

There was another contractor, who he understood departed from the general rules of the contracting system [supposed to mean Mr. Alderman Harley.] This gentleman acted a more generous and disinterested part; he had been employed to remit bullion, or Portugal or Spanish coin, to America. The commission given to him by the minister was two and a half per cent. No, said the generous contractor, I will render up part of my profits for the advantage of my country; I will abate one per cent. I will take but one and a half instead of two and a half per cent.

After having been ironically sarcastic on the parsimony of the minister, for procuring the abatement, and on the contracting alderman, for his mercantile generosity, he observed, that no less than three millions seven hundred thousand pounds in specie had been transported to America, for the use of the troops, for which not a single voucher had been produced. This immense sum, had been written off in about thirty or forty lines, without any account, or specification whatever, forty thousand pounds in one line, twenty in another, and thirty in a third. He confessed, he was totally at a loss even to guess how, or in what manner, or to what use, this enormous sum of almost four millions, was applied. Transport-service, ordnance, provisions, stores, pay, new appointments, &c. in short every item which could be supposed, to form a part of such an account had been regularly set down; yet not a colour of pretence existed for presuming how this bullion remittance was disposed of, farther than that it was issued by the person who was fixed upon to remit it, under an order from the treasury-board. If, indeed, millions could be thus issued, and afterwards continue unaccounted for,

for, he might say with justice, that the army extraordinaries was the minister's civil list reserve, and that it might answer him every purpose of secret service money.

But those remittances affected the nation doubly, and drew upon it, if possible, greater mischief than even the corrupt purposes to which it might be possibly applied. It drained the kingdom of its cash, of its sterling lawful money. The idea first conceived, was to make those remittances in Portugal and Spanish coin. That was in conscience bad enough; because the bullion, thus sent out of the kingdom, might be soon coined into current money: but the truth was, that infinitely the greater part sent to America was English guineas. Was this a time to drain the kingdom of its current cash, when our commerce was on the decline, our manufacturers remained unemployed; when the rents were rapidly falling, our taxes proportionably on the increase, and all domestic trade apparently at a stand? He believed, that not one of their Lordships thought so. By computations, respecting the coin in the other House by the minister, they stated, that the current coin in the kingdom amounted to one or two and twenty millions. If then a sixth part of that sum was taken out of circulation, by being sent to America, might it not be fairly assigned, among other concurring causes, as a principal one of the great difficulty there was in all negotiations respecting money transactions. He would appeal to every noble Lord present, who had any thing to do in that way, whether it was not become almost totally impracticable to carry on any money transaction with facility and satisfaction. Thus four millions was taken out of the public stock, no man could say for what purpose; and what rendered it still worse was, that this four millions was gone in hard coin. The people were plundered apparently in one point of view, and the sinews of trade, commerce, and internal prosperity, were cut or weakened in the other.

Having discussed these topics, his Lordship said, that the American war had already cost us twenty-six millions, which were already funded, and sixteen millions unfunded, in all forty-two, which would carry with it, when funded, an interest in perpetuity of one million nine hundred thousand pounds per annum. This was tremendous and alarming, when we were commencing a war against one of the most formidable and dangerous confederacies Europe ever saw; when ruin stared us in the face. What was the situation of France? Though she had in the space of three years, in a manner, created a navy nearly equal to ours, out of nothing, and had consequently incurred every expence attending a war establishment, she had not borrowed a shilling till
the

the last year, and then not more than two millions, and about as much more this. So that we were entering into a war with France, loaded with an immense debt, while our rival and enemy had yet borrowed but a small sum, and without laying a single new tax.

Another part he would state, which would, he made no doubt, astonish their Lordships; it was, that the whole of the late war cost France but forty-five millions, while our beginnings only had cost as forty-two: and of this forty-five, only twenty-five lay as a burden on the people at the peace; the remaining twenty having been procured by free gifts, benevolencies, aids, and other means, which that wise people generally adopt in times of public danger and distress.

For his part, he did not see where more money could be had: he understood that the budget was to be opened soon after the Christmas recess; many means had been spoken of for raising the supplies: some spoke of the crown lands, others of taxes upon horses and dogs; East-India Company; heavier excises; a tax upon lawyers, &c. In short, it was impossible to conceive any one thing that escaped the vigilance and eagle's eyes of those financial adventurers in order to oppress, extort, and draw forth the last shilling out of the pockets of a ruined people. It was the daily and nightly study of those greedy and enterprising adventurers, to make their court and their fortunes by exerting their abilities in this way. It was very easy for commissioners and all the folks of this description, who were well placed and well pensioned, basking in the sunshine of a court, or writing from Tunbridge Wells, to form schemes for the disposing of the property of the honest and industrious part of the community; but he trusted the day of reckoning was not far distant, when the persons who had brought these calamities on this country by their public or private suggestions, would be made to feel the just indignation of a much injured and oppressed people, and be compelled to render to that public, those spoils which were the price and reward of their evil and pernicious counsels, and the corrupt methods they used to ensure them success.

His Lordship informed their Lordships, that his computations had been faithfully and correctly made, and as correctly stated; he did not trust to himself on the occasion, but had the labours of a most able man to assist him.

He said after speaking so much upon the whole face of the extraordinary, he could not avoid pointing to a few of the items, which particularly struck him in regard of the manner which in those instances the account was made up, or the nature of the expenditure. He enumerated several; the following were the most remarkable.

At the breaking out of the late war, the sums drawn for by governors amounted but to 8000*l*. Even in the very highest years of the late war to no more than 10,000*l*. though we had governors, and new ones; at Martinico, Guadalope, the Havannah, Grenades, Belle'sle, &c. What was the amount the last year? No less than 90,000*l*. thirty or forty of which had been drawn for by one man, a Mr. Morris, governor of St. Vincent's, who surrendered that island to an inferior force, one half of whom were not regular or trained soldiers. Of this man his Lordship held out a most unfavourable picture; charging him with every species of corruption and abuse of office that it was possible to conceive: and attributing the surrender of the island to the willingness of the people to rid themselves of such continued oppression and injustice as they felt during his government.

He next spoke of the Indian presents, which in the last year had amounted to 70,000*l*. though when the Indians had rendered themselves of infinitely greater service during the late war, they never received a tenth part of the sum. He mentioned a great number of other articles of less consequence, and equally increased in point of expence, and observed, now that the Indian country had been destroyed by the Virginians, we were feeding 6000 Indians of both sexes with provisions from Great Britain and Ireland at the expence of a ration of two shillings per day.

We have selected the most interesting part of his Lordship's speech, and such as led properly and directly to his motions: It is needless to repeat his reasons for inducing the House to assent to them, further than to take notice that the army extraordinaries called for immediate check and controul from his premises; and that it was full time that Parliament should stand forth and exert itself as the only possible means of preventing our impending ruin.

He concluded with moving his first proposition.

"That the alarming addition annually making to the present enormous national debt, under the head of extraordinaries, incurred in the different services, requires immediate check and controul.

"The increasing the public expences beyond the grants of Parliament being at all times an invasion of the fundamental rights of Parliament, and the utmost œconomy being indispensably necessary in the present reduced and deplorable state of the landed and mercantile interest of Great Britain and Ireland."

Lord *Stormont* opposed this motion, because it reversed the order of things; it proceeded to punishment before it convicted; it was therefore preposterous: besides, we were engaged

gaged in a great war, and we must not starve it. He objected to the noble Lord's arguments drawn from precedents, because the principal one was in the year 1711, when a scandalous ministry endeavoured to undermine the great Marlborough.

Earl of *Effingham* set the noble Viscount right with respect to the motion. He had taken the concluding paragraph which was merely declaratory, as grounds for the resolution. That declaration was a distinct proposition; and he begged the noble Viscount to consider, that the motion was intended to institute that inquiry which he very properly said should precede condemnation. The noble Lord agreed to the propositions of the noble mover, gave several reasons for believing that the extraordinaries were in fact the civil list of Lord North, and he concluded with informing the noble Viscount, that a relation of his, Sir Thomas Mills, received 5000*l.* for maintaining the civil government of Canada.

The ministers were all silent, and the Chancellor having in vain waited for some one or other of them rising, was at last obliged to put the question. The Duke of *Manchester*, however, rose, and expressed his astonishment and indignation, that ministers should sit and hear such a charge, without attempting to answer it.

Earl of *Hillsborough* defended the character of Lord North from what he called the invectives of the noble Lord who made the motion. He believed there never was a more clean-handed minister, and if he were to go out of office to-morrow, he would not be able to maintain his family. He objected to the motion, because it would, in fact, be to establish a committee of safety, and would be subversive of the constitution.

Earl of *Suffolk* said, he had sat in another House for fifteen years, and he had never seen a question of such importance treated with silence, or, what was equal to it, with nonsense. The only objections that had been made to it were, that a precedent had been quoted from the year 1711, and, that checking the public expenditure would be subversive of the constitution. It only convinced him that it was not in their power to assert an objection to the motion, and which in truth was his own sentiments.

The Duke of *Richmond* entered into the assertions made by the secretaries of state, and he placed their reasoning, if reasoning, in so poignant a point of view, that the whole House were struck with the glaring absurdity of their arguments. Having done this, his Grace begged to inform the House
that

that an honourable general, who had distinguished himself on every occasion, and who was looked up to as the man who ought to be employed in the present day of difficulty, had been engaged last summer in the defence of an island as likely to be attacked as any other, nay, which had been attacked, he meant Jersey; that honourable general had drawn for no more than 25l. as, understanding the constitution, he had given previous estimates of the expence, and had not exceeded them. He had heard that Lord North had declared, that that honourable general could not be employed, because Lord Amherst was a younger general, and General Conway must consequently be above him. This was a principle so new in the service, that he must needs call upon the noble Lord in the red ribbon to say, if he had refused to serve beneath a senior officer.

The Lord *Chancellor* said, that if the arguments which the noble Lord and Duke had urged in favour of the motion, had been reduced to paper, and given as the grounds for that motion, they would not have been accepted by the House without proof, and he thought that a motion which could not have been supported by such arguments on paper, could still less be maintained by them unreduced.

The House divided. Contents 37, Proxies 4; Non-contents 60, Proxies 21.

Lord *Shelburne* informed the House of the purport of his second proposition, which was as follows:

“That a Committee be appointed, consisting of Members of both Houses of Parliament possessing neither emolument nor pension, to examine without delay into the public expen-
diture, and the mode of accounting for the same; more particularly into the manner of making all contracts. And at the same time to take into consideration what savings can be made consistent with the public dignity, justice, and gratitude, by an abolition of old or new created offices, or reversion of offices, the duties of which have either ceased, or shall on enquiry prove inadequate to the fees, or other emoluments arising therefrom, or by the reduction of such salaries, or other allowances and profits as may appear to be unreasonable; that the same may be applied to lessen the present ruinous expenditure, and to enable us to carry on the present war against the House of Bourbon with that decision and vigour which alone can result from national zeal, confidence, and unanimity.”

His Lordship moved, “That this proposition be taken into consideration on the 8th of February 1780.” Agreed to.

Private business and adjournments to the 23d; on which day the Lords adjourned to January 27, 1780.

February 8.

At four o'clock this day Lord *Wycombe*, Earl of *Shelburne*, made his promised motion before the holidays, which was in the following words :

"That a committee be appointed, consisting of members of both Houses, possessing neither employment nor pension, to examine, without delay, into the public expenditure and the mode of accounting for the same ; more particularly into the manner of making all contracts, and at the same time to take into consideration, what saving can be made consistent with public dignity, justice, and gratitude, by an abolition of old and new created offices, the duties of which have either ceased, or shall on enquiry prove inadequate to the fees, or other emoluments arising therefrom ; or by the reduction of such salaries, or other allowances and profits, as may appear to be unreasonable : that the same may be applied to lessen the present ruinous expenditure, and to enable us to carry on the present war against the House of Bourbon."

His Lordship observed, that meaning to act openly, directly, and fairly, he had moved the proposition, which he meant now to submit to their Lordships' consideration, full eight weeks since, in order that noble Lords might fully be acquainted with its import, its tendency, and the several great objects which it evidently embraced. It had lain on the table full two months for their Lordships' perusal and examination, and he had no doubt, as the matter contained in it was matter of public interest, that it would meet with a full, grave, and impartial discussion. It was his proposition only in one point of view, that of his being the instrument of its public production, but in every other sense, it was every one of their Lordships', both in respect of duty and interest as much as his. Their Lordships were therefore to dispose of it as they pleased ; to alter, add, strike out, or totally reject, according as they thought fit. Before he proceeded further, he thought it his duty, however, to inform their Lordships, that he had, in conformity to a wish expressed by a noble friend of his near him [Lord *Coventry*] made a trifling alteration towards the conclusion, as it stood in the address laid upon the table ; he meant, part of the concluding sentence after the word " Bourbon." The words were, "with that decision and vigour, which can alone result from national zeal, confidence, and unanimity." Independent of that trifling alteration, suggested by the noble Earl, the motion in every other respect would

stand in its original form; and before he went into the question as it stood in the motion, he wished most sincerely that every noble Lord who heard him, would clearly understand, that he meant not, by any means, to obtrude his own specific words on the House. He hoped seriously, and intreated their Lordships to consider the motion as a hint, or recommendation to take up the matter substantially conveyed in it, and not to attend to its mere form or texture. It was rather calculated to draw their Lordships' attention, than to dictate or circumscribe their judgment; because, besides the consciousness of his own inability, his motion was intended as an invitation to the House; to every one of their Lordships, on every side of the House; and of every description, if there could exist any distinction, when the great and leading interests of the nation, nay perhaps its very salvation and independent existence, were at stake. These were his general ideas; these were the great and unmixed objects he had in contemplation; these were the genuine sentiments of a man zealous and solicitous for the safety and welfare of his country. He was happy in having the honour of a seat in that august assembly, no less famed for its wisdom and its justice; and whatever might be the fate of his motion, he enjoyed one consolation, that if it should be rejected, he was persuaded it would be rejected from the wisest and most just motives, and after the most full, equitable, disinterested and impartial consideration.

The great point to which all his wishes tended, and to effect which his motion was chiefly framed, was to annihilate the undue influence operating upon both Houses of Parliament, and to establish power in the place of it—a constitutional power, instead of an unconstitutional influence. The latter was the curse and bane, and would, if not timely eradicated, prove the destruction of this country; the former, whether described under the name of prerogative, or patronage, or the natural influence of the Crown, grew out of the nature of the constitution. He would not confine himself to abstract opinion, he would explain what he meant. It was influence which had contributed so fully to the ruin of this country. It had got into our navy, into our army, into both Houses of Parliament, and into, in short, every department, both civil and military. It was the great source whence almost all promotion sprung, as it was the only direct and certain road to preferment. The constitutional power of the Crown in rewarding professional merit,

in stimulating candidates for martial fame to great and glorious actions; in exciting a noble, generous spirit of emulation, was lost in the accursed gulph of influence. The unworthy, the servile, and the grovelling rejoiced because they saw that when the power of the Crown degenerated into mere influence, that the means most likely to procure preferment or favour, were of a nature perfectly congenial to their own mind. On the other hand, the able veteran, the man of high honour and distinguished integrity, was sure either to be overlooked, or to suffer daily causes of mortification and disgust. Such was the consequence of the undue influence of the Crown, operating upon Parliament, as contrasted to the solid, natural constitutional power of the Crown, which formed part of the essential, inherent rights and appendages of royalty, in this limited government; and which was what principally constituted the basis of the independence of the Crown, upon the other two branches of the legislature. The Sovereign had the power of conferring all favours and graces, the appointment of officers, civil and military; the bestowing of titles of rank and honour, &c. These were great and high prerogatives, but were placed very properly, and of course gave him a very great and extensive influence; and attached those, who, in their different stations, experienced the notice and attention of a gracious sovereign. But influence, as he observed before, reversed the whole order of things; the power which should originate, and solely originate with the prince began in Parliament; thence all pretensions to favour were established, and instead of considering the real claims, the personal vote, or parliamentary weight and connections were put in the scale against long service, great abilities, experience, and all the qualifications necessary to constitute the statesman, the sailor, or the soldier. The Crown thus became robbed of its native and proper influence, and an influence of another kind was substituted in its stead, as the price of creating an undue and unconstitutional influence in Parliament.

To restore to the Crown its constitutional power, to render Parliament independent, and place government upon its only true grounds, wisdom, justice, and public virtue, which will ever secure the confidence and affection of the people, was his most earnest wish, and that could not be effected without striking at the root, which appeared to him (no matter from what cause, or how it came to grow to its present enormous growth) to exist now in Parliament; in what

he had to offer on the subject of his present motion, therefore he should chiefly direct his argument that way.

His Lordship then proceeded to state the whole of our financial system. By the last accounts he was able to procure, the national debt contracted since the commencement of the present war, would, at the close of the present session, amount to fifty millions at least, funded and unfunded, which, according to the terms the minister in the other House had negotiated the last two loans, would bear an interest of upwards of two millions and a half, if not three, per annum. The standing interest on the old loans, was nearly four millions and a half; in all, seven millions. He was then stating what the nation stood bound to pay, at the very instant he was speaking; but allowing for argument's sake, that peace would be made in the course of the year 1780, of which he feared there was not the most distant prospect (Lord Sandwich gave an affirmative and significant nod), he believed, there was not a Lord present who would say; that the year 1781 must not be a borrowing year; that is, that the expences of that year would considerably exceed the ordinary supplies. Add to this, arrears, contingent expences, not brought to account, and a great number of miscellaneous outgoings; he was fully justified in saying, that the whole of the national debt, old and new, would amount to the amazing enormous sum of two hundred millions, drawing after it an annual interest of about eight millions. This was an alarming circumstance. He had exaggerated nothing; but if to this consideration were added other circumstances and events, probable or certain, then indeed the most confident ought to be staggered, and the most firm be drove almost to despair.

What were they? Possible defeats; the destruction of our commerce; the capturing of our Islands in the West Indies. An armed neutrality in Europe, an event in its consequences almost as fatal as open or avowed hostilities; he meant the resolutions, or at least threats, of the northern crowns and states, to preserve a free and uninterrupted navigation, and to protect their respective flags from the belligerent powers. The circumstances formed but a part of the political picture of this country. He did not wish to paint too strongly, nor surcharge it; but he was convinced, that if the West Indies should be wrested from us by France, that under such a load of debts and increasing taxes, it would be impossible *for this country, without the miraculous interposition of Providence, to subsist as an independent nation.*

His

His Lordship then entered into a long detail relative to the mode of contracting our public debts, the high rate of interest we were compelled to borrow at, and the shameful waste of public money in every branch of the national expenditure. This led his Lordship into a very wide field, and a long train of argumentative computations, which he wound up with remarkable ability and with singular correctness, tracing the whole up to its true source, the minister in the other House. The ministers had led the people into the present ruinous and disgraceful war imperceptibly by degrees, till he had so far plunged them, that there was not a possibility of retreating. He had, indeed, put the most shameful and gross impositions on the country gentlemen. He first told them that the riot at Boston arose merely from the turbulent temper of a few ungovernable spirits; that the province of Massachusetts Bay having neglected the duty she owed her Sovereign and the British Parliament, must feel the resentment of this country; and that the act for shutting up the harbour and port of Boston, and the other measures which naturally accompanied it, would immediately operate so as to bring them to a proper sense of their duty, on which basis, the claims of the Crown and Parliament of Great Britain would be so firmly established, as never hereafter to be shaken.

This was the first step taken by the minister. To obviate every objection which might be urged against an eventual civil war, the naval and military establishments were voted as in a time of peace, and the acts alluded to were represented in both Houses of Parliament, by the confidential servants of the crown, as no more than mere authoritative mandates or requisitions to the inhabitants of Boston in particular, and the province of Massachusetts Bay in general, which were to meet with a ready and prompt obedience.

A new Parliament was convened by a premature dissolution of the former; and the minister's promises and predictions having failed, a repetition of the same solemn force was displayed. The colonies were found to be refractory; the cause of the town of Boston, and the province of Massachusetts Bay, was made the common cause of all the British provinces of North America. A congress assembled in the interim at Philadelphia, and the whole continent, to certain ends and to certain purposes, seemed to breathe but one spirit. Notwithstanding this, the minister foresaw the difficulties he would have had to encounter with, and therefore continued to conceal his intentions. General Gage was

at the time sustaining a kind of siege in the capital of his government. The Parliament were, however, to be seduced. The same language, as in the former year, was resorted to; and when the supplies came to be granted by the new Parliament, not a single additional soldier was voted; and still more strange to tell, though the war, if it should take place, must have been a maritime war, every fifth seaman was discharged, by the navy estimate of that year, having been reduced from twenty to sixteen thousand seamen and marines.

A strong indication, however, of an approaching rupture between the parent state and its American subjects, having appeared by the accounts received during the Christmas recess, immediately on the meeting of Parliament, after the holidays, the most solemn mockery that ever disgraced a British senate was exhibited; namely, an augmentation of four thousand military, without the addition of a single seaman. But if nothing was to be effected by force, the minister's golden conciliatory proposition was to effect wonders; the people of the colonies were to tax themselves; the ministers determining the quantum of what was to be raised, and the province of Massachusetts was marked out as a proper object of punishment, and its inhabitants were declared to be in rebellion. The conduct of the minister on this occasion was curious beyond example. Before the proposition, insidious as it was, could reach America, the conversion of the people was to be effected in a much more speedy and effectual manner; private orders were dispatched to General Gage to commence hostilities, before the sentiments of the Colonies could be known, respecting the noble Lord's conciliatory proposition; and the first fruits of this mixture of folly, treachery and violence, were the fatal affair at Bunker's hill, which happened some weeks before the ultimatum of the Parliament could be known, and of course accepted or rejected.

The last act, he meant the proceedings of the Parliament in the second session, unfolded the mystery. Two engagements had taken place, in the course of the summer, between the King's troops and the provincials; the authority of the mother country was openly disclaimed; and the minister for the first time appeared in his proper colours. A new and active minister was taken into the King's Councils [Lord George Germain] the high sounding terms of the omnipotence of Parliament, its suprenacy, and the unconditional

national obedience of our rebellious subjects, became the creed of the court; and were reverberated day after day from the walls of both Houses; an augmented navy and a land force of 10,000 men, were the means pointed out, for giving these extraordinary and absurd doctrines a constitutional and effectual establishment; and the whole indeed in the famous bill, which denounced war against the inhabitants of one third of the British empire. Here terminated the first part of the minister's conduct. He led the country gentlemen, step by step, precisely in that situation, in which it became almost impossible for them to recede; and having worked upon the passions and prejudices of the people without as well as within doors; he rendered his measures popular for a time, and turned their resentments from the authors of the impending mischiefs, towards the very persons whom they were endeavouring to oppress and enslave. He persuaded the Parliament and the people, that it was their cause he was defending and maintaining; and conjured up one of the strangest incitements to measures of hazard and violence, that of uniting duty with interest, the duty of maintaining what he told them were their own rights, and interests, they had in obliging the people of America to contribute to the general defence and protection of the empire in time to come, and in bearing a share of the heavy incumbrances which they themselves had been in part the cause of incurring during the late war.

Such were the means resorted to in the first stages of this unfortunate business, and such the arts of seduction employed in order to lead the country gentlemen and the nation blindfold to their ruin. Plunged into a fatal civil war, there was one point however besides, which, if not well qualified or concealed, might have cut up the whole system; that was, to hold out some object to the country gentlemen, which should apparently balance the risque, or at all events, should balance the certain expence of carrying on a war, at three thousand miles distance. These matters challenged the consideration of those, who were to lay burthens upon themselves and their constituents; namely, the probability of success, and the consequences of it, a reimbursement of the expences to be incurred in the prosecution of the war; and whether or not, meant might not be found to prevent the effusion of blood, and the waste of national treasure, by holding out terms or conditions to the colonies, by which on one

hand, the rights of the crown and parliament might be asserted and secured; and the people of America satisfied that it was meant to make them subjects, not slaves.

The minister in the other House, and his new colleague in office [Lord Germain] undertook the task; they both assured the country gentlemen jointly and severally, that they should have a clear, specific, substantive revenue; that unconditional submission on the part of the Americans, would amount to a full recognition of the right of the Mother Country; and at the same time, that a commission under the authority of the prohibitory act, would be sent out with the ultimatum, which would contain propositions of such a nature, as must take away every pretext from those in rebellion for further resistance, unless they were determined to openly disclaim all connection, and throw off all dependence on the crown and parliament of Great Britain.

He should pass over what passed in consequence of that delusive bill, and that pretended commission. A bill declaring open war against one third of our own subjects; a commission nugatory in itself, and secretly determined to have no effect or operation, but what was to derive from the assistance of the mouth of the firelock, or the point of the bayonet.

It this state of things, a period of upwards of seven months from the passing of the prohibitory act, the Congress openly avowed their independency; and in a few weeks after, Lord Howe and his brother arrived with their pretended commission, without any one additional power whatever, but an offer, in case the insurgents should lay down their arms, of their being restored to the King's peace, or in other words, an offer of pardon upon agreeing to unconditional submission.

He begged their Lordships' pardon for detaining them with a detail which had been so often much more ably stated by several noble Lords; nor should he have troubled their Lordships, had not the particulars now mentioned directly led to, and had special reference, to what he was proceeding to more fully explain.

In the course of two years, one of which was a year of open war and great expensive preparation, not a shilling was borrowed. The necessary expenditure was carefully held back, and concealed from the public eye; nor was it till the end of two years and three months, that Parliament was applied to, and that, but for a trifling sum: The sinking fund bore

More every thing, and what with the managements and anticipations, the credit of the Bank, and the mode of contracting the unfunded debts, it was not till towards the conclusion of the session 1776, that the minister applied for a loan of two millions, to pay the interest of which, he laid on some trifling particulars, to be felt only by a few individuals. The next year luxury was to be taxed. The nation was not alarmed; the mass of the people were not to be much affected by taxes laid upon servants and auctions. Another year produced a tax upon houses. None but the opulent had a right to complain. A fourth year arrived, and then none but those who travelled in post chaises felt the pressure of the new burthens. Here, as in the outset of this business, the body of the people were kept in the dark. Parliament were in the first instance seduced into a war; in the second, the nation itself.

But what was the consequence? What has ever proved the consequence of ministerial imposition, and political seduction. A debt of upwards of twenty millions was artfully, and as it were by stealth, contracted in this manner, drawing after it an interest of upwards of a million per annum, which interest was to arise from pretended delusive taxes, producing little more than one half of what they were taken for; and now the awful moment presents itself, in which the people themselves must not only bear the pressure of new taxes, but must provide likewise for the deficiencies of those, they imagined would have been exclusively borne, by the superior classes, and by the opulent in general of every denomination and description. If in the first instance, the country gentlemen had foreseen, that they were entering into a war, which might eventually lead to the mortgaging their lands, in perpetuity, for upon them in one shape or other the taxes will ultimately lie; or if, on the other hand, the nation in general thought, when they wished that their brethren in America should contribute towards the existing burthens, it might possibly end in doubling those burthens, not in lightening them, neither the Parliament nor people would have ever consented to the sanguinary measures, which had led us into our present dangerous, critical, and distressful situation.

Here then it was self-evident, that the minister of the other House was responsible to Parliament and the people, and had used those powers entrusted to him only for the bad purposes to delude and deceive. He borrowed, year after

after year, upon fictitious and unproductive taxes, and anticipated the produce of the sinking fund to answer his own views; one time employing it without the leave or consent of Parliament; another, anticipating it in order to keep the evil day as far off as possible. We must come to that exact period, when all this management would, nor could avail nothing. Twelve or fourteen millions must be borrowed in a few days; the deficiencies of the new taxes laid the last three years must be provided for, the whole amounting to at least one million per annum. There were besides, fourteen or fifteen millions of debt to be funded; and at least ten or twelve millions more to be borrowed or provided for, in the course of the next session. That is, speaking within compass, taxes to the amount of two millions per annum more must be laid upon the people of this country, within the space of two years at the furthest, from the instant he was speaking.

Many pleasing prospects had been held out by speculative writers, substantially importing, that the treasures of this country were inexhaustible. The India Company, the private brewery, places of entertainment, a professional tax, were all talked of; every hole and corner of Europe was ransacked. France and Holland were called in to assist the very able speculative financier who entertained the public, from Tunbridge and Greenwich [Mr. Eden] and who addressed his epistolary correspondence to the noble Lord in his eye, [Lord Carlisle] even such was the eagle-penetrating eye of the profound letter writer, that he had not permitted either the sinking fund, nor even the unappropriated taxes laid from year to year, to escape his profound researches.

Here his Lordship considered the different taxes spoken of, in the epistolary correspondence alluded to; and commented regularly upon every one of them. Upon the prospect of procuring great aid from the India Company, by way of compensation for the renewal of their charter, he observed, when he was in administration, he remembered, that a plan apparently well concerted for drawing a very considerable pecuniary aid from that Company was laid before him, and the rest of his Majesty's confidential servants. Persuaded from the flattering appearances held forth, that great assistance might have been derived through that channel, he voted with his colleagues in office, on that occasion, which he would never have consented to do, had not

he

he imagined, that the measure would prove equally beneficial to the Company and the State; but what was the issue of this specious and alluring prospect? Ministers and the directors had secretly joined in a confederacy to prostitute the interests, one of the proprietors, the other of the public; and the whole of the business was meant to promote the personal interests of the former, and to create or enlarge the patronage of the latter.

He was warranted to say so from an immediate view of the propositions on the carpet at present. This valuable trade had become a new fund in the hands of ministers for the advance of patronage; and directors, still more careless of their trust, more corrupt, more abandoned than ministers, had permitted the trade to be converted into this shameful abuse, and losing their dignity, respect and character, in dependence and servility, had sacrificed those interests, which it was their mutual duty to protect and extend, to their own private emolument, and ambitious views.

His Lordship, after speaking of several other particulars relative to the new loan, observed that the power of the minister over the public purse, was a matter much to be lamented, and was big with national calamity. It was the abuse of this power, in the early stages of the fatal business respecting America, that led us into the civil war; that hoodwinked us though on the very verge of an awful precipice; that lost us our colonies; and, at length involved us in a war with France and Spain, and finally, which was worse than all, it was the possession of the purse, emptied without controul in the first instance, and without account in the latter instance, that created that corrupt and dangerous influence in Parliament, which, while it put into his hands the means of delusion, at the same time served to fortify him in his mad career, and that too without even a prospect of punishing him for the enormity of his crimes.

If it had amounted merely to a waste of public money; if people were burdened only to gratify the prostitute, unprincipled and avaricious, the evil, though great, might be remedied; but when the crime was coupled with more fatal consequences, of procuring majorities, to support a wicked, bloody, and unjust war; when it was the price paid for dis-severing her colonies from the British empire; when it enabled ministers to seduce the nation into a war with the united power of the House of Bourbon; and finally, when it was the cause of spilling the blood of one hundred thou-

sand

sand British subjects, then indeed, the power of such a minister, so employed, was a greater curse by far, and deserved more to be deprecated than pestilence or famine.

To prevent the continuance of those evils; to defeat this corrupt and fatal influence, the motion which he had the honour to present, was solely intended; and in order that noble Lords might the more fully understand what he meant, he begged leave to state the evil in detail, and the remedy which he meant to apply.

The mode of incurring the public expenditure, and of voting the supplies, and accounting for the monies so voted, all united in creating this corrupt and unconstitutional power which he had been describing. The two principal sources, were the army and navy extraordinaries, or navy debt. The estimates for both services were regularly voted, but the manner in which that matter was at present conducted, was little better than a mere farce; for if, on one hand, the commander, or commanders in chief could incur debts, which were afterwards to be made good by Parliament, and the admiralty board run the nation, in the course of two years and a half, nearly eight millions in debt, which in the latter instance, he understood was the fact, to what purpose did that, or the other House assemble; for in his apprehension, it made no kind of difference whether Parliament gave its sanction or not, if Parliament stood bound to discharge the debt the very moment it was incurred? And what was a little more extraordinary, if no account was to be given till at the end of fifteen or twenty years, when all the parties concerned were dead, or all the material circumstances forgotten. The temptations held out to ministers, and every person acting in subordination under them, were infinite in number, and irresistible in their nature. If vouchers were demanded, the answer was, no vouchers could be obtained. The commander in chief, or admiralty board, drew upon the treasury to any amount they pleased; warrants were struck in consequence of such requisitions; and if questions were asked, the answer given was, that the vouchers were not come to hand; that when they did, ministers had nothing to do with them; for they were referred to the officers of the exchequer, auditors of the imprest, auditor, teller, chamberlain, &c. so that money, to any amount, and for any purpose, for the worst, as well as the best, might be issued, consequently, that as the debt was contracted without the previous consent or approbation

tion of Parliament, so neither was Parliament to be informed or satisfied, in what manner the money was expended, or to what uses it was employed.

Here his Lordship entered into a long detail concerning the mode of voting the army extraordinaries, and was extremely severe upon contractors in general; particularly such of them as enjoyed seats in Parliament, contending, that they were a curse to this country; for it was not only the immense fortunes they amassed by public rapine and plunder, but the undue and corrupt influence they put into the hands of the minister. His Lordship, in support of this assertion, read several items out of the army extraordinaries of the preceding year, then lying on the table, and affirmed, that in the annals of public speculation, nothing of the kind had ever before happened. So much to this governor, so much to that governor, sixty or seventy thousand pounds to Mr. Stuart, the superintendant of Indian affairs, for beads, tomahawks and scalping knives; forty thousand pounds paid to a superintendant or provision commissary at Cork, for doing nothing, but barely doing the duty of the merchant contractor. The rations shipped at Cork charged almost double what they were during the late war; the transport service for conveying those provisions amounting to immense sums, and above all, the contracts of the celebrated Mr. Atkinson, and the gold contractors, Messrs. Harley and Drummond; in short, the whole bore such an appearance, as was sufficient to fill every honest breast with resentment and indignation.

To remedy those ruinous and enormous evils, as his motion imported, he wished to have a commission of accounts instituted, conformable to those passed in the reigns of King William and Queen Anne, almost regularly from the second year after the revolution, to the first of George the First in the year 1715, which was the last. He acknowledged, that those acts had not always answered the public expectation; but no person in the least conversant in the parliamentary or political history of this country, could be a stranger to the great advantages of those acts, which at length became in a great measure annual, and accompanied, in his opinion very properly, the annual grants. The wisdom of the illustrious and able statesman who prompted and countenanced those commissions, whether in or out of place, for near thirty years, spoke more forcibly in the

favour

favour of such acts, than any thing he could possibly urge. It was enough to deserve, that if they did not answer every thing which might be expected from them, they were the cause of detecting and reforming many flagrant abuses, which had crept into the expenditure of the public money; the recalling of improper grants made by the crown; the discovering several notorious frauds, and of bringing home corruption to many members of the other House, particularly in the reign of King William.

His Lordship then gave a narrative of the means resorted to by him for preparing himself for the task he had undertaken. He had often directed his enquiries to the mode of passing the accounts at the exchequer. He had enquired, when in office, and when out, of every person who he imagined could help him to information, upon so dark, complex, and difficult a subject; but whatever was the cause, he found he could never gain any leading light to direct him to a further enquiry. All beyond the office of the person to whom he applied, was involved in ignorance and obscurity, and within the circumscribed view of his informant, every thing was buried in chaos and endless obscurity. He made other attempts. The late Mr. West's papers, who had passed so many years in the exchequer, were submitted to his perusal; he kept them, and gave the possessor a gratuity for them. He perused and examined them with all possible attention and industry; and all he could fairly gather from them was, that there were many gross defects in the mode of passing, auditing, &c. the public accounts; but was free to confess he could learn nothing which sufficiently enabled him to point out an effectual and specific remedy.

Under those several impositions which he had related to their Lordships, he became more and more convinced, that the delays, defeats, &c. arising from the paying in and issuing the public monies, particularly when the expenditure amounted, upon an average, to twenty millions per annum, must continue to extend and increase. His idea, therefore, would be, that a committee should be appointed to devise some means for putting the whole of the receipts and out-goings upon a more clear and simple footing. In the first place, he was of opinion, should a committee be appointed in pursuance of the motion, that every shilling raised upon the subject from its first receipt, till it finally *reached the hands* destined to issue it for the public service, throughout

throughout its several stages, should be marked and ascertained, and so regularly back from its first issue, till it got into the hand of the soldier, seaman, &c. for whose use it was, at the time of voting, originally intended. In the second place, it was his intention to open all contracts of every kind; so far as the same might be consonant to the safety and general interests of the state. Thirdly, to abolish all those sinecure places and useless offices, to which high salaries and emoluments were annexed, which, upon enquiry and examination, should be found to come within that description. And fourthly, to abolish such offices, whether apparently offensive or not, that answered no other end but that of encreasing the undue and unconstitutional influence of the crown.

He enlarged very amply on each of the foregoing heads; and assigned his reasons for the necessity of such a reform, in a very long and able detail, and strengthened several of them by facts reported from the first two reigns, subsequent to the revolution, particularly towards the close of the reign of Queen Anne.

His Lordship in conclusion, earnestly entreated ministers, for their own sakes, if they meant well, not as had been their constant practice to procrastinate or delay, and if not, begged leave to remind them that the temper of the nation was such, as not to bear to be much longer amused or insulted, with little evasive arts and subterfuges, or the more strong conduct of treating the wishes of the people with a confident and unfeeling contempt. His Majesty's ministers had long since lost the confidence of the people; they had too long imposed upon, seduced, and insulted them. The nation was in a state of complicated difficulty and distress. We were engaged in a war with two very formidable and dangerous powers; we were engaged in a war besides, with one third of our own subjects; the whole of which composed a decided majority against us; which necessarily set peace at a greater distance than at any former period. Compelled then to bear the struggle, to labour in the unequal contest, it was the indispensable duty of ministers, it was more, it was the indispensable duty of their Lordships, as the great constitutional advisers of their sovereign, and the guardians of the state and people, whose interests and preservation was committed to their care, to provide, by every possible means, to meet that contest with all possible firmness and resolution; the surest and most efficacious of which

would

would be national œconomy, in the first instance; and a wise, prudent, and faithful employment of the public treasures, in the second.

Lord *Coventry* rose up to second the motion, and confirmed almost every thing which had been advanced by the noble Lord who made it. He said, he had spent the greatest part of the last recess in the country, and was both astonished and mortified to find all his fears and apprehensions so fully realized, relative to the fall of rents, and the decrease in the value of land; farmers breaking, some even at old tenures, &c. We had lately heard of a very striking instance of the decrease in the value of landed property. It was in respect of the sale in the manor of Herton, in Northamptonshire, the estate of the late Earl of Halifax; and this estate which would have brought full thirty years purchase but a very few years since, though it had been twice bought in by the trustees, was at length sold for eighteen years purchase. This served as a standard whereby to estimate the value of the whole landed property of the kingdom, whether as affecting the landlord or tenant. He therefore submitted to their Lordships' wisdom and serious consideration, whether it did not behove them, both in respect of the public and their own private interest, not only to recommend, but to exert themselves to the utmost, to promote the most rigid œconomy, which would, in its effects, set limits to the necessary national exertions; but such as might tend, in the first instance, to lighten the burthens of the people, or prevent, rather, one part of the community from oppressing and preying upon the other; and likewise, direct the treasures of the nation into their proper channels, the employing them specifically in carrying into execution measures for destroying and defeating the designs and operations of our foreign enemies.

In the midst of our public calamities, his Lordship said, he could perceive one ray of hope break in, to cheer us in the midst of our surrounding calamities and distresses, which was, that the people without doors, and a majority of the nation, and of men of every party and description within, seemed to be of opinion, that nothing but a general reform could save this country. A change of ministry; and an economical expenditure of the public money, was the general cry; and he trusted, if the people themselves were sincere, true, and firm, that the salvation of this country might be yet effected.

Lord

Lord *Carlisle* said, he highly approved of the principle on which the present motion was founded. It was a most meritorious attempt, and highly deserving of the attention of every noble Lord present.

He lamented, however, that it should contain any thing calculated to exclude a certain description of their Lordships, in which he was of course included, namely, such as enjoyed any office or place of profit under the crown. The present was a most critical and perilous crisis, and he thought it extremely ill-judged, to exclude any noble Lord from rendering every assistance to his country at such a crisis. On the whole, as that part of the motion would deprive the committee proposed by it, from the assistance of some of the ablest and first characters in the kingdom; and, as he most cordially approved of the object which the motion pointed to, that of promoting a general reform, and of introducing a more economical mode of expending, issuing, and accounting for the public money; he found himself in the disagreeable predicament of not being permitted to give a vote either way; but were the objection now stated removed, the propositions must of course meet with his most hearty assent.

Lord *Fauconberg* made many professions of loyalty, passed several high encomiums on the public and private virtues of the sovereign, and said, for his part, he was ready to give up his emoluments, amounting to about sixteen hundred pounds a year, (lord of the bed chamber and colonel of a new raised regiment) towards supplying the public exigencies of the state. He had, he said, an ample fortune, and he was persuaded, that none who knew him suspected that he became a placeman for the sake of the emolument arising from it. He accepted what he now held under his sovereign as a mark of his sovereign's regard; he accepted it with gratitude, and thought himself highly honoured with such a mark of his Majesty's gracious favour, and thought it a most injurious insinuation to hold out to the public, that no person who enjoyed a place under the crown, was fit to be trusted in a plan for promoting the interests of his country and working its salvation. The motion moved by the noble Earl, seemed to convey something of that kind, and as such he should give it, for one, a willing negative.

Lord *Stormont* rose next, and went into a very long detailed reply to the noble Lord who made the motion, against which, he said, he had two principal objections, either of which in his opinion, seemed to him insurmountable.

The first was the impropriety, and indeed incompetency of one House of Parliament coming to a resolution which went eventually to bind and conclude the proceedings of another House of Parliament. This was evidently deducible from the first sentence or paragraph in the motion now under their Lordships' consideration, which proposed that a committee of both Houses be appointed, &c. It would be trifling away their Lordships' time to no purpose to enter into arguments to shew what itself, in the terms it was conceived, carried self-evidence upon the very face of it; for this House had no more power or authority over the other than the other had over this. It was therefore in the highest degree absurd and nugatory to resolve or vote what, when resolved or voted, carried with it no efficacy whatever without those walls; it would not only be nugatory, but it would carry a most unfavourable and suspicious appearance, as if what might bear only the appearance of ignorance, as artfully intended, if complied with or assented to, to be hereafter drawn into precedent.

The second objection which struck him, which in his opinion, was an incurable one, was the improper interference of this House, in the first instance of enquiring into, reforming, and controlling the public expenditure. This was a point in the other House, and an exclusive inherent privilege they would never part with upon any account, directly or indirectly, by composition, compromise, or compact. It must miscarry if attempted, and would probably be attended with most fatal consequences, that of retarding and interrupting the public business of the nation.

His Lordship observed, that such disputes had arisen in the beginning of Queen Anne's reign, which produced great heats and disagreements within doors, and much dissatisfaction and discontent without; insomuch that the queen was obliged to dissolve her parliament, in order to prevent matters from being brought to extremity. Contests between both Houses ought, at all times and on all occasions, to be carefully provided against and prevented, much more so in seasons of great difficulty, such as the present confessedly was, when of course harmony and mutual confidence were become indispensably necessary to the carrying on of public business, and the safety of the state; for most certainly any suspension or intermission of the former might, nay certainly would be productive of the most dangerous, alarming, and probably fatal consequences.

His

His Lordship said, independent of these two main objections which he had taken the liberty to submit to their Lordships, the form of the motion, in point of mere order, was unprecedented, and contrary to the established mode of proceeding. The noble Lord had mentioned the accountant bills passed during the reigns of William and Anne; but had very properly observed that they were discontinued since the year 1715. Why so? Because they were found to answer no good purpose; to have proved nugatory as to the attainment of any substantial or desirable object; and had originated and been promoted by party. However, soon after the accession of the House of Hanover, when that illustrious family came to be more firmly established on the throne; when faction, tumult, and sedition was crushed; and the continual fluctuation of councils which perplexed and distracted the two preceding reigns, gave way to steadiness and stability; there was an end to the annual law, as the noble Earl called it, of examining, controlling, and stating the public accounts of the kingdom.

His Lordship observed, in the course of his speech, neither was that wise prince King William at all times able to keep his two Houses of Parliament in temper with each other. He often lamented it to his most confidential friends, and was often heard to say, that disputes between deliberative bodies, independent of each other, were the most dangerous, not only on account of their magnitude and importance, but that experience had so frequently convinced him that it was next to impossible to bring about a reconciliation, any acknowledgment of error on either side being interpreted to be an acknowledgment of superiority to the party to whom the concession might be made.

His Lordship having severally objected to the motion in point of form, in respect of the absurdity as well as informality of attempting to bind or conclude one House by a vote of the other, and the inefficacy of the motion relative to its avowed object, which he observed might be productive of much mischief, but was totally inadequate to effect any real benefit, made several severe strictures on the real intention of bringing forward such a motion at the present time. He affirmed that it was meant to combine the motion with the petitions now before, and daily presenting to the other House, and as the petitions themselves had been promoted by the most unjustifiable and improper means, so the motion certainly was meant to bear a relation to them, in order to em-

barrass Government, and throw an odium on his Majesty's confidential advisers. He did not mean to say that the noble Lord had any such intention; but he said the motion would, if it operated at all, operate in that way. The petitions and their contents were in general created; and when they seemed to arise spontaneously, and from sentiment, which he believed was the case in very few instances, they were founded in no better than absurd, impracticable notions of public reformation, and specious theories, calculated to mislead the nation, because directed to what, if attainable at all, must in fact undermine the constitution, and finally lead to public confusion. He concluded with informing their Lordships, that he would give the motion his hearty negative, because, if agreed to, like the county petitions, it would embroil both Houses, impede public business, and tend to anarchy and confusion.

The Duke of *Grafton* rose in reply. He was surprised, he said, to hear the noble Viscount labour the point of informality so much, and scarce say a syllable to the question. Was there nothing that stood in the way of his noble friend's motion but the mere point of informality? If there was not, why did not the noble Earl propose a remedy? If that was the only objection against the proposition it might be soon removed; and he was persuaded he could answer so far for the temper of his noble friend, and the object he had in view, that he would cheerfully consent to have it modified in any manner the noble Viscount might point out, in order to get clear of that objection. The principle of the motion, public reformation and national œconomy, formed the great object; no matter how the motion was new framed, altered, and modified, so these were promoted. He was indeed doing no more than repeating the noble Earl's own words when he first rose, and after so full, explicit, and candid a speech, he hardly expected to hear trifling petty cavils raised upon the ground of informality, who wanted no more than to state the objection in order to have it removed.

He should not follow his noble friend throughout his very able detail; there was one point which he must confess made a very deep impression on his mind; he meant the state of this country, within and without, in respect of our foreign enemies; the state of our finances; our encreasing burdens, decreasing means, and domestic discontents; and such being the state of the country, as described by the noble Earl, he most cordially united in opinion with his Lordship, that it was a duty incumbent on every noble Lord, no matter on which

which side of the House he sat, if there could be, at so perilous a moment and upon so important a question, a second side of the House, to assist in carrying the intention, not the mere words of the motion, into effectual execution.

Particular objections had been made by two noble Earls who spoke lately [Carlisle and Fauconberg] to a part of the motion, distinct from the point of the mere informality, namely, the exclusive part of it, which forbid that those holding places, or enjoying offices of trust or profit under the Crown, should constitute any part of the committee. Here again, as well as the other objection, he made no doubt, knowing, as he did, the personal candour and warm zeal of his noble friend, that he would concede in that instance, if nothing else should stand between him and his wishes.

The noble Viscount in high office had charged the county meetings with having originated in faction, and having been set on foot, promoted, and upheld by factious arts, by popular delusions, &c. He wished, he said, as much as possible, to abstain from strong language; but whatever his provocation might be, he would content himself with assuring that noble Viscount that he was most grossly mistaken if he trusted to his own judgment, and most grossly misled and abused if he trusted to the information of others. He could speak himself as an eye and ear witness, being just returned from the country; and from his own certain knowledge could lay his hand on his breast, and declare upon his honour that the spirit of discontent and dissatisfaction was almost universally gone forth, and expressed the genuine sentiments of the people; and he begged leave to advertise their Lordships of another circumstance, which had been evidently misunderstood, and of course misrepresented by the noble Lord, namely, that as the petitions were promoted by factious arts and party management in some counties, so in others, and a majority too of the counties, the freeholders had refused to petition, which was at least a tacit disapprobation of petitions in general. This he could affirm was not the case; for he was equally satisfied that the counties that did not or would not petition, were as warm and zealous friends to public œconomy as those who had. He knew himself two counties [Northampton and Suffolk] where he occasionally resided, and was well acquainted with, which had not petitioned, yet he believed no man in the least acquainted with either would venture to say that they were not friends, and zealous friends, to public reform and national œconomy.

Those counties might have been influenced by local and particular motives; but he had not a single doubt but they earnestly desired to see the objects of those petitions fully and unequivocally obtained.

After explaining very fully his local and general knowledge of the people, and giving the strongest testimony to the rank, weight, property, and independence of those who had taken a leading part, or assisted in promoting the petitions, he implored their Lordships seriously to look forward. For his own part, he trembled for the fate of his country, should Parliament turn a deaf ear to the complaints and wishes of the people, and that on a ground the most irritating and insulting, namely, that the grievances complained of were ideal, and were merely the creatures of faction, and had no other object but the turning out the present ministry, in order that those who had fomented the public discontents might succeed to their power and places. This, in his opinion, was the highest possible aggravation of public oppression and mal-administration, and could not fail of creating the most lively and just resentment in the breasts of those who found themselves not only most cruelly oppressed and ill governed, but loaded at the same time with the foulest slanders, and the basest calumnies, by being represented as the secret enemies of their country.

The noble Viscount had been so hardy as to deny the acting influence of the Crown; when his Lordship did so, he confessed he felt the greatest astonishment. He believed there was not a single Lord who heard him that might not, from his own experience, hazard a direct contradiction, supported by some one circumstance arising within his own knowledge. Were there no boroughs at the disposal of the Crown? Were there no permanent, operative motives, which, in a greater or less degree, operated upon and influenced every description of men, from the highest to the lowest. Were there no brothers, relations, friends, or children to be provided for, and for which the Crown had the power of making the desired or expected provision; most certainly. Many could be gratified in this way who would decline a proffered favour in any other. The age was dissipated; splendour, magnificence, an appearance of great wealth, and great parade and expence distinguished the present from any which preceded it. He did not mean to include in this description the mere profligate or spendthrift nor the *notoriously vicious*. The persons on whom the influence he alluded

alluded to chiefly operated on were men of another cast, of a different tenor of conduct. They sought only the conveniences of life, suited to their ranks and respective situations. These were the men he had in his eye. He would suppose, under the circumstances he had been stating, where these large families, many children, brothers, &c. where men in the very act of departing from the strict line of public duty, were not at the same time gratifying one of the most amiable and praise-worthy propensities of the human soul, in the happy discharge of a private duty, that of providing for their own immediate family, or serving their near relations, friends, and dependants. For his part he was happy to be a father of a young family, unprovided for in a great measure, and he could not say but he felt much, and had his struggles; but he had the satisfaction to add that he had resolution to overcome them.

Before he sat down, he begged leave to take notice of an expression which had fallen from the noble Viscount, relative to pushing the reformation and plan of œconomy farther than was expressed in the motion. He saw where it pointed to, and he would endeavour to give it as good an answer as he could.

The noble Viscount had alluded to something which personally concerned, as enjoying a place under Government, as well as to a particular emolument enjoyed by the noble Duke near him [Richmond.] All he could say was, the place he held came to him as a part of his patrimony, and was already settled on his children. He would add, that it composed the principal provision for his family, as well as his own immediate support; but yet, if the reformation should become general, and that it should be thought necessary to include him in the plan, whatever might be the consequence to himself, however trying it might be to see his family stripped of their patrimony, he should submit, and upon this principle, that whatever remnant should remain to them would be more valuable in proportion as the liberties of the nation stood upon a more permanent basis; for either in his own person, or that of his representatives, he should think that a small competence, under a free government was infinitely preferable to any enjoyment of power, rank, and property, under a despotic one. His noble friend near him stood in the same predicament; and by every thing he could learn of his frame of mind and sentiments, he was clearly satisfied, that if the reformation should be pushed the length

the noble Viscount seemed to hint, the noble Duke would submit, and cheerfully part with what he was to give up, in consideration of what was to be received in return. Whether any such general and uniform reformation was in contemplation or not, he begged leave to assure the noble Viscount that neither the noble Duke nor he were to be deterred from the discharge of their duty in that House, by any dark hints and half threats against their private fortunes.

The Marquis of *Carmarthen* (Lord Osborne) said he rose to give his assent to the motion, as he thought it the only means of preserving this country from inevitable ruin, by promoting union among all ranks and descriptions of men, and of course restoring energy and confidence to Government.

The noble Viscount in office, who had spoke lately, disapproved not only of the form in which the noble Lord's motion was drawn up, but of the purport and substance of it; nay more, his Lordship had condemned it in the lump, merely from bearing any seeming affinity to the county petitions. For his part, he was free to declare, that the very circumstances of disapprobation stated by the noble Viscount highly recommended the motion to him. He liked and applauded the principle of the petitions; they breathed the same spirit with the present motion. A most respectable body of gentlemen, clergy, and freeholders, had called a meeting in the county over part of which he had the honour to preside as Lord Lieutenant (York.) He was invited to that meeting, but was prevented by private business from attending. The proceedings at that meeting, so far as they corresponded with the present motion, met his ideas very fully, though he could not say he approved of the associations or committees of correspondence. He spoke out, he said, on the occasion; he wrote to the committee after they had agreed to the resolutions, assigned the reason of his absence, and his sentiments how far he approved or disapproved of their proceedings,

But if he had entertained a doubt of the propriety of the conduct of the Yorkshire petitioners, he soon had grounds sufficient to determine his opinion; he meant the mean, shabby, pitiful, unwarrantable means employed to deter by threats, or by persuasions, to prevent, the freeholders from assembling; means and arts so pitiful, shabby, and despicable, as fully proved that the authors of them were conscious of the badness of their cause, and that they hoped to weigh
down

down truth and justice by the strong hand of power, or by imposition and chicane.

He said he had a few days since resigned a place in the household [vice chamberlain to the Queen] the occupying of which he should ever esteem one of the greatest honours of his life. Why had he resigned it? Because his duty to his Sovereign and his country, and a regard for his own honour, would not permit him longer to retain it. He could no longer give his support to a ministry which had, after a series of repeated trials, proved themselves pusillanimous, incapable and corrupt; who had brought the nation to the brink of destruction, and still persisted to plunge it deeper into misery, calamity and danger. They were the curse of this country, and he feared would prove its ruin. One of them from his deserved ignominy, and the other from his criminal indolence and neglect [supposed to mean Lords Sandwich and North] the former, when the talents and abilities were most wanting, driving almost every man of a certain description from the service by insult and bad treatment.

These were the reasons which induced him to resign his place in the household. While he remained in place, he did not think it decent to oppose government. He could not in conscience absent himself from his duty in Parliament at so momentous a crisis; the only method which therefore presented itself to him, to get rid of the embarrassment, was to resign. But what had been the consequence of this moderate conduct? That of dismissing him that morning from an office he held under the crown, the lord lieutenancy of the North Riding of the county of York. He did not pretend to say who it was that advised this measure: but let it have come from whom it may, he despised the little, mean resentment which gave it birth, laughed at the folly, and felt the injustice and intended insult as he ought.

Lord *Chesterfield* replied to the Marquis of Carmarthen. He contended, that the majority of the people were extremely well contented under the present government, and that the county petitions, &c. were the last struggles of an expiring faction, who in one instance, by inflammatory speeches and misrepresentations, had endeavoured to promote insurrections in Ireland; and by similar means, having failed in that attempt, now sought to sow dissension in this kingdom: but he had no doubt that measures equally wise and efficacious to those which had been adopted in respect to the sister kingdom, would likewise defeat the designs of such as wished to involve their country in civil confusion.

His

His Lordship strongly objected to that part of the motion which went to exclude persons enjoying places under government from the committee, as it imported, that whoever was called upon to advise, assist, or serve his Sovereign, was by that circumstance alone incapacitated from serving his country. Such an idea was no less ungenerous than unjust; if applied as a general principle, it included almost every noble Lord present. If a particular application was made of it, it amounted to an actual condemnation of all his Majesty's servants, without a tittle of proof to support it.

So far as he was concerned, he had no interest in rising. Such a resolution would not render him ineligible, for he neither enjoyed emolument or pension under government; but still he felt for the implied censure passed on those who did, and the insult intended upon all his Majesty's servants: but if the exclusion was indecent and unjust, it was no less absurd; for what did it say? That a committee should be appointed of members, "possessing neither emolument or pension." Who were to judge of the report to be made by this committee? Most certainly the House; so that in fact, the resolution moved could mean nothing more than a mere insult to the description of persons excluded; because, in the dernier resort, when the committee should come to report, the power of agreeing or disagreeing with the committee would lie in the House, and the persons excluded in the first instance would be finally re-invested with it in the second.

After condemning in very strong terms both the form and principle of the motion, he observed, that an expression had fallen from the noble Marquis who spoke last, that deserved a word or two in answer. The noble Lord had talked of the ignominy of one of his Majesty's ministers, and the inactivity, indolence, and inability of another; the former of whom, he said, had drove some of the best and ablest officers from the service. He begged leave to differ from the noble Lord, both as to the general charge, and the fact. He was persuaded that the noble Earl at the head of a certain board had proved himself an able minister, and real friend to his country; and that no man was farther from wishing, or attempting to disgrace those who were employed in the line of service over which he presided. After passing some further compliments on his noble friend, his Lordship sat down, with declaring his intention of giving a negative to the resolution moved by the noble Earl.

The Marquis of Carmarthen replied, and said, he was ready to re-state his words. Men of the highest professional merit

merit had been driven from the service by the noble Earl alluded to: and he was free to declare, that he thought it impossible for any man of honour to serve while the noble Earl continued in his present office. The best men were driven from the service, or deterred from accepting a command under such an administration. Every man who accepted of a command, accepted of it on the conditions of a double peril; that of being employed and deceived; and of being certain, that those who deceived him, would be the first, as they were known to be the most powerful, in effecting his disgrace. He should not enter into detail, or quote names, as he imagined it would be totally unnecessary to descend to particulars, for every person who had been employed stood almost in the same predicament; and from what had happened, he was entitled to say, that no man of ability, or who regarded his honour, could serve in the navy, as long as the present first commissioner of the admiralty continued to preside at that board.

Earl of *Sandwich* protested, that he was at a loss to know which of his Majesty's ministers the noble Lord who spoke last alluded to when he first rose; and he should have left the House in the same state of ignorance, had not his noble friend near him [Lord Chesterfield] called forth the explanation now given by the noble Lord. He desired, however, to assure the noble Lord, that he was totally misinformed or mistaken; for he defied any noble Lord to state it in his place, as a fact, that any one professional man had refused to serve in the navy, and assigned the cause to be, that he had continued to preside at the admiralty board. He could prove the fact to be otherwise, if necessary. He could say, that some of the persons he presumed the noble Lord alluded to, had offered their services, and one [Admiral Barrington] had been already actually employed; and upon the whole, if the noble Lord would endeavour to recollect himself, he was persuaded, that among all the refusals to serve, he could not produce a single instance in which his remaining in his present situation was assigned as the motive for such refusal.

As he was up, though he did not mean to speak to the question, he would, with their Lordships' permission, offer a word or two in respect to what had fallen from the noble Earl who made the motion.

The noble Earl had said, that there was little prospect of peace, and that the "trifling successes we had lately obtained served only to remove peace at a greater distance;" which was one of the motives urged by his Lordship to shew.

a plan of œconomy, upon the idea of a long protracted war, was still become more necessary.

He believed no noble Lord present would seriously deny, that œconomy at all times was not necessary, but much more so in a time such as the present, when we were engaged in a burthensome and expensive war; particularly a war accompanied with so many novel circumstances and difficulties, a formidable confederacy of our foreign, inveterate, and natural enemies, still further reinforced and strengthened by a very considerable part of our own subjects in open rebellion, not only against our authority, but as declared enemies, leagued with our foreign foes for our final destruction. This he confessed was not only novel, but a most alarming state of things: but the novelty and danger, however great, was no ground for despondency; its magnitude called for a suitable resistance, and success could only be expected in proportion to the vigour and extent of our exertions.

The noble Earl, however, when he spoke of our trifling successes, should have attended to the particulars on which the assertion was founded. He differed widely in opinion from the noble Lord when he called our successes trifling: he thought in many instances they were far from trifling, and in others, that they led naturally to great probable advantages.

It is true France had taken, in the course of the war, from us, one or two islands in the West Indies. On the other hand, we had taken one from them, and driven them entirely out of the east, there not being a French flag then flying in all Asia. In North America they had been shamefully defeated in their attempt upon Savannah; and they had, after all their boasts, been obliged to fly from the West Indies, where it was well known we had a confessed superiority. It was true, reports had been spread, that a formidable force had sailed from France for the West-Indies. He hardly believed it; but whether or not, he was fully persuaded that we should have a superior force to that of France in the West Indies the ensuing campaign. It would not at present be prudent to speak out, nor was it possible to speak with certainty; but he had good reason to hope and believe, that some other strokes would be shortly struck, which would give us a decided superiority over our enemies, in point of aggregate success, in the contemplation of national comparison.

He did not see, therefore, how the noble Lord who made *the motion* could call our successes trifling; they were far from it; they had been already decisive in the East Indies, and

and would probably prove in their consequences equally so in other parts of the globe.

He would mention another singular advantage we had gained, though not apparently so brilliant or striking: the total destruction of the French fishery on the Banks of Newfoundland, which was no less a source of French wealth than a nursery for French seamen. In this two-fold consideration he should not say too much if he affirmed, that the French fishery upon the banks of Newfoundland was one of most valuable branches of their commerce. So much had this commerce been improved of late years, that it might be affirmed, without almost a possibility of contradiction, that the fishery was divided between France and Great Britain in the proportion of two thirds to the former, and one to the latter; yet important as this branch of commerce was, it was totally at an end, and was now solely possessed by Great Britain. There was another circumstance, which was in its consequences no less important than any of these he had already mentioned, which was the great want of seamen France felt. This compelled her to strip the privateers, in order to man the royal navy, by which means, the latter only going to sea in squadrons, our traders performed their voyages uninterrupted in a manner, and approaching nearly to a degree of perfect safety and security, while the commerce of France lay in a great measure at the mercy of our privateers, letters of marque, armed vessels and cruizers. This, he said, was not a mere assertion or matter of opinion; it was supported by a variety of facts, and them of the most notorious and best authenticated nature, namely, the numerous valuable captures made by our ships of war, privateers, &c. and the safe and unmolested return of all our trade fleets from the East and West Indies, North America, and the several parts of Europe, whether under convoy or otherwise.

The noble Earl had said a great deal of peace, and seemed to wish that it could be obtained; but the noble Earl could not be ignorant, that in making peace the consent of both parties was necessary. He did not believe the noble Earl would advise to submit the terms of peace to our enemies, much less to submit to ignominious ones. If not then, if our successes were but trifling, the noble Earl, he believed, would agree with him, that when they were trifling was not the proper time to sue for, or open a negociation, but that it would be more proper to wait for a season, when, having decisive advantages on our side, we could at least meet the enemy half way, and if not dictate, at least treat with dignity, freedom

freedom and independence. But the truth was, the season for peace was not arrived. We are at present in a distressed and embarrassed situation, and till we had got clear of some of the difficulties which stood in the way of coming to a pacification, it would be idle to talk of peace, unless we were willing to purchase it on any terms, however mean, ignominious, or humiliating.

The Marquis of *Carmarthen* said, he meant not to retract his words. He did not rise to state a matter of fact by way of accusation. He assigned his reasons why he could not longer continue to support the present administration; among others, he said, that the noble Earl who spoke last, had driven some of the ablest naval characters from the service; he thought so still; and he explained what he meant when he first rose, by affirming, that he believed the noble Earl had been the cause of several naval commanders declining the service, because they were resolved never to serve so long as his Lordship remained at the head of the admiralty; neither deeming their characters nor persons safe under his administration.

Lord *Fortescue* observed, that the noble Earl who spoke lately [Sandwich] was the only person in the kingdom, who was a stranger to the fact stated by the noble Marquis, that of his Lordship's having been the cause of so many men of the first professional abilities having declined the service of their country. He was astonished at the noble Lord's effrontery, in offering to deny it, when not only the fact was so, but because it was so universally known and acknowledged. He wished to remind the noble Earl of his conduct, at least in one instance, respecting his treatment of an honourable admiral. He first, totally disapproved of any enquiry whatever, so long as that enquiry seemed to be directed towards the vice-admiral of the blue; but no sooner had the vice-admiral become an accuser, than his accusation was received at the admiralty board; and all the inconveniences which his Lordship so frequently predicated instantly vanished. Though at first strongly denied, it was afterwards proved and confessed, by the crown lawyers, in the course of discussing the question upon a motion in the other house (the attorney and solicitor general) that the admiralty board might have exercised their judgment on the occasion: the fact was, that they had done so, and brought the honourable admiral to his trial, and by so doing, had made an attempt on his life, or, what was of infinitely greater consequence to that gallant officer, they endeavoured to rob him of his honour.

nour. Did then the noble Earl dare to call for a single instance of any professional man declining the serve, when the instance now alluded to was so recent and so well known to every one of their Lordships, and every man in the British empire? Could the honourable admiral alluded to, with safety once more trust his life and honour in such hands?—It was impossible; and, without descending to particulars, he believed there was not a single high naval character now unemployed, who could not assign reasons equally cogent, for refusing to serve, so long as the present noble Earl continued to preside at the Admiralty-board; for what they had not directly experienced in their own persons, the example now quoted had taught them to expect. This was strengthened by a further additional reason, that if they had foregone every other consideration, and, in the heat of patriot zeal, were willing to devote and even risk their personal safety and honour, they, as far as their own experience had led, were fully convinced that the very object, which they were willing to hazard every thing to accomplish, was totally unattainable, under such an administration of naval affairs.

His Lordship testified his warmest approbation of the county meetings, the committees of correspondence, and general associations; Parliament having, through the enormous influence of the Crown, abandoned the care and protection of the people, it was at length become necessary that the people themselves should look to their own preservation; and he trusted, that as they had the judgment to discover the necessity, and the spirit to act upon that judgment, they would have the resolution and firmness never to relax, till the grievances and oppressions under which they laboured were fully and completely redressed.

His Lordship made use of several strong and unqualified expressions, declarative of the inherent rights in the people to compel redress in cases of emergency: and congratulated his country most heartily on the approaching appearance of being emancipated from a system of government and a maladministration of public affairs, hitherto unprecedented in the English annals; seeming to hint, that national protection would not much longer be trusted to those who had abused the powers with which they had been fatally and unfortunately for this country invested.

The Marquis of *Rockingham* said, that he never lost sight of one great object since the commencement of the present reign, which was the system established as soon as his present Majesty ascended the throne; namely, a fixed determination

nation to govern this country under the forms of law, through the influence of the Crown.—He had no sooner perceived this system, than he set his face against it, and had now, for upwards of seventeen years, endeavoured to defeat its intended effects. Much had been said about secret influence and secret councils; and a noble Lord, not then present in his place [the Earl of Bute] had been particularly pointed to. For his part, he had no personal acquaintance with that noble Lord, nor could he be supposed to have any predilection for him; but this he would declare, as an honest man, that he was persuaded, that if that noble Lord had never been in office, or in personal confidence with his Sovereign, indeed had never been born, that a system of government, similar to that now existing in this country, would have been produced into being. Every thing within and without, whether in cabinet, Parliament, or elsewhere, carried about it the most evident and unequivocal marks of such a system; the whole œconomy of executive government, in all its branches, proclaimed it, whether professional, deliberative, or official. The supporters of it in print, in books, in pamphlets, and newspapers, avowed it, and defended it without reserve.—It was early in the present reign promulgated as a court axiom, “that the power and influence of the crown alone was sufficient to support any set of men his Majesty might think proper to call to his councils.” The fact bore evidence of its truth; for, through the influence of the crown, majorities had been procured to support any men or any measures which an administration thus constituted thought proper to dictate.—This was the origin of all our national misfortunes, the latter being no more than the consequence of the principle which gave birth to the measures that produced them. He was ready to avow, in his place, that as the measures of the present reign contained the fullest testimony of the principle which called them into being, so they bore every internal and external evidence of their dangerous and alarming origin; for he would say, that taking and combining them together, they formed and presented such a system of corruption, public venality and despotism, as never before took place in any limited government. The short time he remained in office, to which he had been called at the express desire of his Sovereign, he endeavoured all in his power to oppose and defeat this unnatural and unconstitutional influence of the crown, but to very little purpose; and as he had come into office at his Majesty’s desire, so he quitted it in obedience to the same authority.

When

When he spoke of the principle of despotism, which had appeared and seemed uniformly to pervade all the acts of the present reign, he believed it would be totally unnecessary to particularize them; he should therefore content himself with alluding only to such part of the system as applied to the measures pursued respecting America and the East India company. Here it was that the plan of extending the influence of the crown, already become enormous and truly alarming, blazed forth in all its odious colours; and here it was that that influence, under the impositious pretence of asserting the rights of Parliament, was employed to vest the patronage or unlimited sovereignty of all America in the crown. The same use was made of this influence over the East India company, and after the first attempt had brought bankruptcy on that company, the second finally vested the patronage of it in the crown for ever.

The plan was deeply laid; the independent part of the people were led into the snare by the specious pretences of designing and artful men.—The company were described to be wallowing in riches; the directors and their servants abroad, were said to be infinitely venal, unprincipled, corrupt, and oppressive. It was urged, that in the possession of such immense revenues and profits, territorial and commercial, that the company ought to be compelled to contribute to the exigencies of the state, and to bear part of the burdens, in common with the rest of their fellow subjects. The whole was a ministerial trick, a state juggle, to throw dust in the eyes of the people. It was patronage, a further extension of court influence, which was at the bottom of all this, however varnished over with specious appearances of public reformation, general justice, and an equitable distribution of taxes and burdens to be borne by the several respective parts of the empire. It was not the paltry sum of 400,000*l.* per annum that was the great object; it was the aggrandizement of the crown that set this political machine in motion. The sequel proved it beyond the possibility of doubt or uncertainty. The company in a few years became bankrupt, and it was reserved for the present administration to complete what they so happily begun, and so steadily pursued. They relinquished the revenue with cheerfulness, but took care to get the patronage in exchange. If any proof were wanting to shew, that neither revenue, nor a desire to alleviate the public burdens, formed the true cause; it was now fully sufficient to observe, that no one effectual step had been taken to promote reformation in India; for it was

impossible for oppression, public peculation, &c. said to have existed in India at the time government first interfered in the affairs of the company, to rise higher, or prove more operative and extensive than since that period. A very striking instance of which was then depending in the courts below, in the case of the late Lord Pigot, who had been sacrificed to the private cabals of those, who, if not encouraged by government, were most certainly protected and countenanced by them. This was the consequence of the interference of the crown; and as to the pretence of a revenue, it was needless to observe, that no one part of the conduct of the present administration, or the system they acted under, furnished even the colour of an argument, that they who had upon all occasions so shamefully wasted and mis-spent the public treasure, entertained a single idea of relieving the people, whom, in every other instance, they had so heavily burdened and oppressed.

He was persuaded that several high characters, and persons of independent principles, and unquestionable integrity and abilities, were led by the art and misrepresentation of others, in whom they had unhappily confided, to support the measures respecting the East India company, and he was glad to hear the noble Earl who made the present motion acknowledge his error, and as one coming within that description. For his part, he saw then what in a thousand instances had been since confirmed to him, that the secret movers in this business had no object whatever, either reformative or equitable, in view, but only that of vesting in the crown the patronage of the company, in order to extend and increase its influence.

This traiterous principle it was that produced the American war, and the long train of evils which flowed from it; and he was persuaded, besides this great object, that in the course of some of the events which fell out in America, one great spur which induced ministers to blindly rush on, was in expectation of being gratified, and of gratifying their friends and supporters with expected confiscations of the lands and properties of those who took up arms against government; and should they now persist in turning a deaf ear to the voice of the people of this country, and thereby force them into measures of resistance, one motive among others would be, a prospect of confiscations nearer home, and the proscription of the lives and fortunes of those who should stand forth the friends of their country, and as yet its unri-
valled constitution.

The

The system being such as he had described; the effects such as he had related; he would just trouble their Lordships with an observation or two on some of the consequences, so far as they applied to the present question.

In the first place, he begged leave to observe, that the attempt to enslave America had happily miscarried, but was attended with the disgraceful circumstance of Great Britain being obliged to throw herself at the feet of America, and of her humiliating offers being spurned with indignation and contempt. Again he wished to call their Lordships' recollection to the conduct of administration towards Ireland, by whose particular oppressions, and introducing a system of government in our sister kingdom similar to that founded in influence and corruption in this, and the mischievous effects produced by the American war, they had reduced our fellow-subjects there to the last degree of public distress and private misery. When ministers were applied to for relief, they refused it, till the people rose as one man to vindicate their natural rights. What was the consequence? They procured by their public spirit, manliness and resolution, what they never could have obtained by any other means. The people of England had now before them the example of America and Ireland; that example pointed out to them the only possible means of national salvation. What would America and Ireland now be, if they had not redressed their own grievances? What would England be, if she should continue inactive at so perilous and critical a season? He hoped, however, that ministers would not put the people of England to the trial; though if that should happen to be the case, he trusted, that the very cause of disunion would terminate in collective strength, which was particularly the case of Ireland, where 50,000 men in arms, while they were promoting domestic prosperity, proved such a source of national strength, as to deter our foreign enemies from making any attempt, or daring to invade that country; a circumstance, he was fully convinced, that had solely prevented France for many months past from landing in that kingdom a very formidable force.

A noble Earl [Sandwich] who spoke lately, and a noble Viscount who spoke early [Stormont] had endeavoured to represent the county meetings as the mere effects of party spirit, or as proceeding from the arts of a few factious individuals. He had every reason to believe that the fact was otherwise; he meant in general; but so far as it related to the meeting at York, he could say from his own knowledge,

that the noble Earl was totally mistaken. The meeting at York was not proposed or promoted by any party, or faction, or particular description of men. It originated in the spontaneous propositions and communications of the independent and honest part of the people of all descriptions, parties and interests. Many persons, friends to good government, and connected in various ways with administration, were some of the foremost in the business; and as to the respectability of the meeting, all he could say was, that within the compass of a single room, where the meeting freeholders were convened, there were persons actually present, who possessed landed property to the amount of eight hundred thousand pounds per annum; and since that meeting, no less than 9000 gentlemen, clergy, and freeholders had signed the petition: and as a farther proof of the general sentiments of the people of Yorkshire, he could affirm with equal truth, that the petition from the City of York had been signed by no less than 920 persons, yet by the last poll-books, at the general election in 1774, it appeared, that no more than 972 polled, though it was a warmly contested one.

His Lordship entered into a great variety of other particulars, which had been spoke to by noble Lords, who afterwards rose in favour of the motion, and concluded with conjuring ministers to consider, and not persist with the same blind spirit of hitherto invincible obstinacy which had led the nation into its present dangerous and calamitous situation. If they regarded their Sovereign, whom they professed to revere; if they attended to their own personal safety; if they wished to prevent those horrid scenes, which they affected to believe the petitions led to; if they sought that unanimity which they contended was so essential to the safety of this country, and so necessary to the defeating the ambitious and dangerous designs of our foreign and natural enemies; if they, in short, were sincere in any one of their professions, or the motives which they assigned for their conduct, he implored them to listen to the voice of the people, and not while the enemy was at the door, meditating and threatening destruction, to be the cause of national ruin, by hurrying the people into a state of civil confusion. He assured ministers, that no palliatives would do. It was not particular taxes (alluding to a tax of 25 per cent. upon all places and pensions, said to be in the contemplation of Lord North) that would answer the expectations of the people. *It was the proper application of the public money already granted, and the honest, faithful, and economical expenditure*

ture of the national treasure in general, that they in almost one voice demanded. Before he sat down he said, he would suggest one other motive to ministers, for giving the people satisfaction; that was, an opportunity which presented itself to them of becoming one of the most popular administrations that ever directed the affairs of this country, should they, on the present occasion, comply with the desires of the people.

Lord *Hillsborough* entered into a very long discussion to prove the impropriety and impracticability of the motion as it then stood, which contained little more than what had been before urged in other words by Lord Stormont. He said, that House had no right, by any rule of construction or inference whatever, to resolve that a committee of both Houses should be formed; and even were it otherwise, the object of the motion, that of enquiring into the public expenditure of money was a matter on which their Lordships were totally incompetent to deliberate or determine. The controul of the expenditure of public money was what had been always exclusively claimed, and had for a long series of years, indeed for some centuries been exclusively enjoyed by the other House; of course the formation of the committee was no less against the established mode of proceeding exercised by both Houses, than the object of such formation was unconstitutional and absurd. Both Houses had their peculiar rights and privileges; and this House had no more right to entrench on the privileges of the other, than the other had on this. After labouring this point with great industry and particular ardour, and commenting upon every passage in the motion, his Lordship fixed his attention upon that part of it which went to exclude the attendance of such noble Lords as enjoyed any emolument or pension under government. He said it was a libel on the whole body of the peerage, as it supposed, that such of their Lordships as enjoyed places under government were, from that circumstance, liable to be warped from their duty, and to give corrupt opinions on a question, which it was maintained in argument was intended, and would effect the salvation of their country. It was, he would maintain, a general and direct libel upon that House, and upon every noble Lord who stood in the predicament described. It is a libel upon me, my Lords, said he; it is false and unfounded; I can affirm the contrary from my own knowledge. It was upwards of seven years, till very lately, that I never held any place, or enjoyed any emolument; I

received no pension, and yet I can say with truth, and my public conduct in this house has proved, that I never swerved from my former avowed opinions. I am unacquainted with the influence on which the noble Marquis has been so diffuse, and which he has stated with so much confidence. I acted, within the period I have alluded to, from a sense of duty; I did so when I was last in office; I will ever do so, as long as I live. I do therefore maintain, that so far as the motion goes to an exclusion of noble Lords in the service of the crown, that it is a libel upon your Lordships, on this House, and upon me, as an individual member of it.

Having endeavoured to prove, at once, the futility, impracticability, and libellous tendency of the motion, his Lordship proceeded to bestow the most indignant and passionate epithets on the county meetings and petitions. He said they originated in factious motives merely, and factious motives too of the very worst complexion. They tended to usurp the powers of government, and to compel Parliament to concessions of the most dangerous and unconstitutional nature; they were set up as another estate, unknown to the constitution. They would, if not timely suppressed, lead to anarchy and public confusion. As yet they had been cautiously and artfully kept within the verge of the law, though, in fact, they reached to the very brink of rebellion. He denied that they were the sense of the nation at large, and he hoped, whatever malignant spirit gave them birth, that it would be instantly crushed. There was nothing but resolution and firmness, which he was persuaded their Lordships would never want, when their rights were attempted to be invaded, to subdue them; and if he had no other reason for opposing the present motion in all its parts, he could find in his own mind a sufficient motive for giving it a negative; that it was so nearly allied in principle and in object to that factious, dangerous, innovating and unconstitutional spirit which had given existence to the county meetings.

His Lordship added, he was satisfied, for he never could believe that the noble Lord's mistake in framing the motion proceed from mere ignorance, that the motion was framed in such a manner as to ensure it a negative, in order to throw an odium upon administration, and give an opportunity to its friends and supporters to enter a flaming protest, which, being published, would soon make its way into the country, and foment and encrease that spirit of sedition and disaffec-
tion

tion which both the authors and friends of the motion wished to disseminate through every part of the kingdom.

His Lordship again turned to the terms in which the motion had been framed, and after having condemned it in the strongest language we ever heard made use of in a House of Parliament, both in point of principle and formation, concluded his speech with giving a direct and unqualified negative.

The Duke of *Manchester* replied, in a strain equally warm and decisive, to several parts of the last speech.

His Grace observed, that America had resisted, in order to redress her grievances; so had Ireland; so had Scotland; and did the noble Lord undertake to say, that the English associators were the only part of his Majesty's subjects whose petitions, in the first instance, were to be branded with the odious epithets of treasonable and rebellious? Was every other part of the British dominions to be listened to? And was the seat of empire alone to be treated with contempt and foul language?

Were fifty thousand armed Irish associators to have their grievances redressed, as dutiful, loyal, and obedient subjects; and was the county meetings of the people of England, unarmed, unassociated, unembodied, without either staves, or any other weapon, offensive or defensive, to be charged with being on the brink of treason and rebellion? This was a language he would never endure, as an Englishman, or pass over unnoticed, as long as he retained the honour of a seat in that House.

Had not the Lord Lieutenant of Ireland, in a public act, in which he represented the person of the sovereign, publicly thanked the Irish associators, though armed against law? And what judgment would the world pass on a man, who, as governor of a country, or Lord Lieutenant of it, conveyed the thanks of both Houses to the country over which he presided, to the associators thus illegally armed, who now as Englishmen stood up and charged the English county meetings with every species of public criminality short of actual rebellion?

His Lordship took notice of what had fallen from the noble Viscount in high office, relative to the pushing the reformation further, should such a measure be adopted, than was expressed in the motion. It included him, as well as the noble Duke who spoke on the subject some time since [*Grafton*] and his other noble friend [*Richmond*]. It was true he enjoyed a patent place, which was part of his patrimony, and descended

descended to him from ancestors for three generations. His fortune was but small, independent of that, and far from being correspondent to the rank which he held in the state. He had a numerous family unprovided for; yet, if a general reformation should be adopted, and that it was thought necessary to include a property of this kind, he would cheerfully submit, for the sake of the general good; and though the remainder should be too small to maintain a person of his rank, he should gladly banish himself from his native country, when that banishment was a consequence of a general reformation by which his country was to be so materially benefited. In such an event he would seek a residence in some distant clime, where he could live in privacy, and suit his style of living and exterior appearance to means derived from a very scanty income.

His Grace spoke to some other points of less consequence, and concluded with testifying his warm and most hearty approbation of the motion moved by the noble Earl.

Lord *Sandwich* rose and replied to some facts stated by the noble Duke who spoke last, relative to the county meeting which had been recently held at Huntingdon, for the purpose of considering of the propriety of petitioning the House of Commons, and recommending a more frugal and economical expenditure of the public money.

The Duke of *Manchester* rejoined, but as the matter was merely personal and logical, being confined to the county of Huntingdon, it will suffice to observe, that neither of the noble Lords agreed to the facts stated by his antagonist, relative to Huntingdonshire county meeting.

Earl *Temple* next rose, he said, with great diffidence, to deliver his sentiments in so respectable and august an assembly; but he thought it was a duty incumbent upon him to declare them upon so trying and important an occasion as the present, and hoped their Lordships would give him a few minutes attention.

Though this was the first time he had the honour to address their Lordships, his opinions were well known in the other House, where he had the honour of a seat for some years. On his entrance into Parliament, the great question between this country and America was then almost coming to an issue; this one preparing to use force, the other to resist. For his part, he thought, that the supreme right of Great Britain over all the dependencies of the British empire, was founded on the principles of the constitution, and as such should be enforced; and that government, in the assertion of
that

that claim ought to be supported. Upon this idea and motives he acted for some time, till at length he became perfectly convinced that ministers were no longer deserving of public confidence; that they were no less incapable than unpopular; unqualified equally to frame plans of conciliation, to prosecute the war with vigour or effect, to promote alliances, or make peace. As he had given ministers his support upon principle, so he had withdrawn it upon conviction. The American war, become no longer practicable, even in the hands of wise or honest men, continued to hold out no one consequence whatever, but adding to our national calamities: in short, every thing relative to the affairs of America, as well respecting men as measures, had long determined him to oppose both one and the other; and he could not sit down without observing, that, considering the very alarming extent the influence of the crown was arrived at, it was probably a fortunate circumstance that our plans of American subduktion had not prevailed.

A noble Marquis [Rockingham] who spoke some time since, had talked of the glories of the late reign, and opposed them in contrast to the calamities and disgraces of the present. It was too just a picture of the features of both reigns to admit a single moment's controversy. Such a contrast must fill the minds of every true Englishman, every friend of his Sovereign, and lover of his country, with the most painful and mortifying reflections; to look back at the successful and glorious administration of a late eminent and celebrated statesman [Lord Chatham] when not a wind that blew from any quarter of the globe, but was sure to bring with it an account of some fresh victory, some new conquest, some acquisition of trade or territory. It might indeed be literally asserted, without involving a contradiction, that our coasts though naked and defenceless, were in a state of the highest safety and security, being jointly protected by our navy and our fame; while on the other hand, the terror with which our fleets and armies filled the breasts of our enemies, though far distant, answered the end of blocking up their ports, and confining their armaments both naval and military at home.

A peace, however, at length succeeded: and it was the fatal policy of the time to relinquish the most valuable part of our conquests, on an idea that we were no longer able to continue the war.

It

It was said, that it became necessary "to purchase peace," by parting with almost every thing we had acquired. The chief reason assigned for our national inability was, that we were one hundred and forty millions in debt. He wished their Lordships would attend to what had been so ably stated by the noble Earl who made the motion, that instead of one hundred and forty millions we stood indebted in 1762, we already owed one hundred and eighty-five millions; and if the war should continue another year, the national debt would amount to two hundred millions. From these facts he concluded, that either those who hurried on the peace of 1762, upon an idea that this country was unable any longer to carry on the war, or those who have involved this country in the present war, had been grossly mistaken; yet he was warranted in affirming, that they were principally the same persons who advised and supported the late inadequate terms of peace; and who had led us violently, and without consideration or remorse, into the American war, and continued still obstinately to pursue it.

His Lordship spoke very fully to the question of the petitions; and said, to petition was the inherent and inalienable privilege of every Englishman. The people had a right to petition each or every branch of the legislature. They had equally a right to meet for the purpose, to associate, correspond, &c. in short, to adopt every legal and constitutional mode which might promise to secure the object they aimed to obtain. He was much surprised to hear a noble Lord, who spoke not long since [Hillsborough] bestow such harsh and strong epithets on the county meetings, and attribute such motives to those who attended and wished to promote what those meetings ultimately tended to produce, a general reformation in the public expenditure, and adopting a permanent plan of public œconomy. He found in his own breast the fullest proofs of the injustice of the charge of faction, of sedition, and of being arrived at the very brink of rebellion. For his part, he highly approved of the petitions, and the determination of the petitioners to associate and correspond; and though he did not wish to lead the people, or invite them into these associations, because he thought they ought to be left to judge for themselves, yet no man could more sincerely approve of them, nor would more cheerfully enter into them. Some persons might be led to conclude otherwise; and that he had appeared backward on account of not approving of them; but he again took this opportunity to say, that no person whatever was more inclined to follow or unite; but for

for the reason before assigned, he did not think proper to act a leading part.

Something which fell from the noble Viscount [Stormont] who spoke early, made it necessary for him to say a word or two in answer. The noble Viscount said the reform ought, if adopted at all, to be extended without favour or prejudice, and be directed to the root of the evil; and that it should take effect immediately; because, said he, the motion states the present necessity of public œconomy. He acknowledged that he enjoyed a very lucrative place under the crown, which was the reward of his father's long services. This circumstance rendered the object still more valuable; but if in a general reform, in which every property of the same description was to be included, and appropriated to public services, he, for one, would readily acquiesce. It was an object of consequence, it was true; but it was not such an object, however, as could prevent him a moment from making the decision between his own personal interest and the salvation of his country.

When he spoke thus openly, he meant to be understood with this reservation, that he consented to relinquish what he held under the crown solely on condition, that the reform was made universal, and made so as to include that species of property which he would, among others, be obliged to surrender to the uses of the state.

The Duke of *Richmond* rose, and entered into a very long and miscellaneous view of the question. He said, the only colour of an objection he heard made was, that of resolving that a committee of both Houses be appointed, &c. but that that might be easily none away by omitting the words "both Houses;" and the motion would then run, "That a committee be appointed." It was a mere matter of form: he was sure the noble Earl would acquiesce; and if there was no other material objection that could be easily removed.

Several noble Lords had mentioned another circumstance, that of excluding persons enjoying places or pensions from serving on the committee. This was called a libel upon the whole body of peerage, upon all the servants of the crown, and upon a noble Earl in particular, who so emphatically said, "and it is a libel upon me;" yet, in his opinion, the intended exclusion was formed upon the spirit of the English constitution, and upon the whole plan of English jurisprudence. The law (at least the common law of England) always excluded persons from acting in any situation which concerned others,

others, where they might be supposed to act under partiality, influence, or prejudice, or have any native bias on their minds. Such was the case in the constituting of juries, both in civil and criminal matters; such was the case of a judge going the circuit into a country in which he was born, or had property; and in a great variety of other instances, which he forbore to mention. He remembered, in particular, the conduct of a late Chief Justice of the Common Pleas, who had an estate in the county in which he lived, who would never sit at the *nisi prius* side on that account, lest any possible partiality might be shewn by him in any of his decisions. A noble Earl who spoke early [Chesterfield] imagined he had totally proved the absurdity of appointing a committee, and excluding, in the first instance, a certain description of persons, who would have the right to negative or affirm the proceedings of the committee of the report. Here the analogy to the case of a judge exactly corresponded to the difference between judging in the first instance and finally deciding upon the report; for though the judge on the circuit could not try the cause in the first instance, yet upon a motion for a new trial, or a special verdict, &c. when matters of fact or law came under review, and to be determined in the last instance, the same judge, who by custom or law was prevented in the first, might, with the rest of the court, nevertheless give his opinion without any or the least impeachment of partiality or prejudice.

He by no means thought the excluding the persons described in the motion implied (much less declared) any direct censure on the conduct of any description of Lords, or any individual in that House. If he thought so, he should be the first for advising the noble Earl to withdraw his motion, or amend that part of it; but he believed it would not be denied him in turn, that persons enjoying places and offices under the crown were nevertheless influenced. He would call it a sense of duty, and honourable influence, a respect for the person of the Sovereign; but he it called what it might, it was in its consequences as much felt, as if it had proceeded from some base and ignoble motive. He would appeal to the language of a noble Lord who spoke last [Marquis of Carmarthen.] What has that noble Lord told you? That disapproving of the present ministers, he could no longer continue to give them his support; that as long as he held the post he occupied, he thought himself in a manner obliged to support them; but as he could not longer do so, that he had resigned; and had, as a further mark of the resentment of the
the

the court, been dismissed from his Lieutenancy of the East Riding of the county of York that morning. Here the influence was plain, by the conduct on either hand; for the noble Lord found himself obliged to resign before he could give a free vote; and, on the other hand, as soon as the minister understood that his Lordship was determined to vote according to his conscience, he dismissed him from his lieutenancy. If there could be a stronger proof required to shew the influence of the crown, and its operations, both in respect of persons while possessing offices of profit, and afterwards, what men of independent principles are to expect, whenever they venture to act on their own judgment, and differ in opinion from his Majesty's confidential servants.

Having thus proved how easily the only material objection to the motion could be remedied, that of that House endeavouring to bind the other, by a resolution, and demonstrating, that excluding such noble Lords as possessed emoluments or pensions, from sitting on the intended committee, was no hardship, but consonant to usage; his Grace proved, and adduced several arguments to demonstrate, that their Lordships were competent to enquire into the expenditure of public money; to examine and controul both its receipt and issue, and to punish delinquents, if any such should be found. The House of Lords had often exercised the powers herein described, and though their Lordships were not the representatives of any particular part or district, they were the representatives of the whole body of the people as well as the other House; and if their fellow-subjects were aggrieved or oppressed, their Lordships, as the guardians and protectors of the people at large, were entitled to adopt every proper measure, which, in their apprehensions, might promise to afford a full relief and redress of grievances.

Having asserted the privileges of the House of Lords, and the duties annexed to those privileges, his Grace entered into a very long account of the county meetings. He acknowledged, that respecting any measures which promise to be productive of public good; he never considered more, than in what manner the object might be most easily and effectually attained. The noble Earl who spoke last, [Temple] might be very right in not standing, or wishing to lead the county in which he resided; but for his part, when a measure was wise or necessary, he would, as soon as it appeared to him to be so, take the earliest opportunity of doing all in his power to promote and forward it. Upon this idea, when the High Sheriff of the county over which

he has the honour to preside, refused to call a county meeting, at the requisition of several persons of rank and fortune, he called one, as the first officer in the county under the crown. He would assure their Lordships, that there was no occasion to lead or encourage a spirit or resolution of petitioning; the county was almost unanimous; they were fully persuaded of the imminent necessity there was for immediate œconomy, and a general reform throughout the different departments of the state; and, he believed, there was not a single county in the kingdom, nor an independent man in it, that was not at length convinced, that national bankruptcy and ruin must be the consequence, if some limits be not set to public rapacity, venality, and prostitution, which all have their origin, more or less, in the influence of the crown.

He replied to the two noble Earls who condemned the petitions. One of them, as unnecessary [Sandwich] the other as seditious, libellous, inflammatory, and arrived at the very brink of rebellion! [Hillsborough] He reminded the latter, how ready he was to construe every thing into rebellion, which had the least appearance of an opposition to the unconstitutional influence of the crown, and how fortunate he was to predict those very rebellions, or acts of resistance, which, in respect of America, he had been so instrumental in fomenting. His Grace observed, that while the other noble Lord allowed the right of petitioning, he denied, in almost every possible case, the propriety or necessity of exercising that right.

His Grace further replied to the noble Lord at the head of the admiralty, as to the supposed advantages gained over our enemies in the course of the last campaign, and his Lordship's drawing a conclusion, that we stood now better than we did at this time twelvemonth. His Lordship's logic was of a very novel nature. We had lost Grenada and St. Vincent's; we had taken St. Lucia. Our fleet was defeated off Grenada, and obliged to fly for shelter, and conceal themselves as long as D'Estaing thought proper to stay in those seas. A very numerous and well-appointed army in America had done nothing in the course of the summer, but had been obliged to abandon every inch of the ground they had gained, and retire within the lines of New York, and in its neighbourhood. The British channel was deserted, and our fleet preserved itself, when it ventured to return by stealth, merely by flight; in short, except the miscarriage of D'Estaing before Savannah, and the capture of St. Vincent's, we had

had nothing to balance against such a series of defeats and disgraces, as had been hitherto unexampled in British annals. He thought, therefore, that the noble Earl, instead of being reprehended, and his words so frequently commented upon, that our successes had been trifling; the noble Lord, at the head of the admiralty, stood under particular obligations to him for talking of successes at all; when what was uppermost in every man's mind, was our defeats and disgraces, which were far from being trifling, and might, on that ground, be well stated as a reason why a prospect of peace was removed to so remote a distance.

The noble Earl at the head of the admiralty had asserted another particular, as forming part of our aggregate success; the driving the French from the banks of Newfoundland, and by that means monopolizing to ourselves the whole of the fishery, that inestimable branch of commerce, as well as nursery for our seamen. The fact, and every precedent ground on which it was supported, were equally unfounded. Before the war broke out, we most certainly carried on a much more extensive fishery than France. We were not only in possession of what we had previous to the peace of Paris, but of much the greater part of what France formerly possessed; while France, by the conditions of that peace, was limited to certain parts of the banks and coasts of Newfoundland, and the little islands of St. Peter and Miquelon: but passing over that circumstance, and coming directly to the fact as stated by the noble Earl, he could contradict that fact by evidence, which he believed might be fully depended upon; that was the assurances of the merchants of Dartmouth, who are the chief persons concerned in that trade: they assured him when there last summer, that their trade to Newfoundland was nearly at an end; that the American and French privateers had infested those seas; that they had landed frequently on the island, pulled down the stages erected for the curing of fish, and, in short, had rendered property so insecure, that not one half of the fish was caught, cured, and carried to market that used to be about two years since.

After a vast deal of miscellaneous matter, his Grace alluded to what the noble Viscount in high office said respecting a full and general reformation, if any. He said, for his part, the emoluments which he enjoyed came to him as his patrimony from his ancestors, under a legal title, which had been farther confirmed by several subsequent acts of Parliament. Were he even inclined, he could resign no more
than

than his own personal claim, as others had an interest as well as himself. If, then, he had a legal property vested in him he thought he was as well entitled to the possession and enjoyment of it as any other man, who enjoyed a fortune transmitted to him by his ancestors; nor would he ever relinquish his claim but by due course of law. His estate was a grant from the crown, which it was then competent to make: if, however, Parliament should lay it down as a rule, that all grants of the crown, of every kind, in lands and hereditaments, corporeal and incorporeal, were resumable whenever the exigencies of the state required it, he would submit on that condition, and no other; not upon any idea of invidious distinctions totally foreign to the plan of reformation, and originating from spleen, resentment, and ill-will to the supposed reformers. He believed more than one half of the lands of England had been given away by the crown in grants; if, then, the reform was meant to be extended to grantees in general, he was ready to submit to the determination of Parliament. Though such a resumption would leave him but a very small and inadequate income, he would venture to affirm, that few men would feel the diminution less. He could live upon a small income, and be contented, as he hoped he should always adhere to a principle he had never yet departed from, that of suiting his expenditure to his means.

The Marquis of *Cardmarthen* then rose to explain; as something, he said, which fell from the noble Duke who spoke last made it necessary. His Grace supposed his situation had influenced his vote; by no means. He had supported government upon principle as long as they continued, in his opinion, to deserve it. A period arrived, when by their extreme incapacity, and notorious misconduct, he was upon motives of conscience, and a strict regard to his duty to his country, obliged to withdraw from them his confidence and support. On one hand, he thought at such a perilous moment, that absenting himself from his service in that House would be a breach of that duty: on the other, that being placed so near the person of his Majesty, and his gracious consort, by the post he held in the household, he imagined it would not be proper for him to remain in it, while as occasion might offer, he should find himself compelled by a still stronger sense of duty, that of his conscience, to oppose the measures of his Majesty's ministers and his councils. In this view of the matter he thought he should deserve credit, when he said he had never been induced to give a vote on
account

account of the influence supposed to arise from holding a place under the government.

Earl of *Mansfield*, after endeavouring to prove that the motion was both in its frame, purport, and tendency, totally unprecedented, proceeded to point out its impracticability. This he endeavoured to do by giving an historical detail of the several disputes which arose between both Houses, from the restoration downwards to the last in 1703, relative to the prosecution of Lord Halifax on one part by the Commons, and his defence and protection given to him by that House. Upon these precedents, in quoting which he was very minute, and in his reasonings upon them extremely copious, he concluded that, to resolve that a committee should be appointed of that House, in order to enquire into the public expenditure, would be entirely nugatory and useless. The Commons would never consent that the Lords should infringe their rights, no more than their Lordships would permit the Commons to entrench upon their privileges. Time, usage, and acquiescence had given their Lordships an exclusive power in matters of judicature; the claim of originating money bills by the other House, had the same authority to support it. The Commons would, probably, if the Lords controverted their rights in public matters, dispute in turn the power of judicature in the last resort exercised by the Peers.

How then was this matter to be brought before their Lordships? Not by a committee as he had stated; not by an original jurisdiction, for that claim had been long waved or given up: by no means whatever that he could see, but through the Commons in cases of delinquency charged upon some person for high crimes and misdemeanors, or in the common mode, in the exercise of their ordinary appellant jurisdiction. He alluded to the well-known case in the dispute between both Houses, when the controversy was managed on the side of the Lords by Lord Anglesey, and by Sir Heneage Finch on that of the Commons.

After representing the several grounds of dispute between both Houses, from the Restoration almost to Queen Anne's time, he observed, that the intended reformation, so far as it related to contracts, and the improper expenditure of the public money, was unnecessary, as the powers already in being were fully competent to the attainment of redress, without any new ones being created for that purpose. He remembered when he was attorney-general, a governor had charged government with cloathing a regiment, and made a false return; complaint was made of the fraud, and he prosecuted

him to conviction. So whatever bargain or contract was made with government, the law supposed it to be a *bona fide* transaction, and that the crown had full value, and an equitable equivalent; and the law, in every such transaction, gave a power of redress, either by punishing the person who should be found or detected in defrauding the public, or allowing the contractor such a sum as his services or his commodity deserved.

The noble Earl had in his speech said, that the minister and the subordinate persons ought to be made responsible for the expenditure of public money. The fact was, that the minister, and every other person acting under the Crown, were already as responsible as the law could possibly render them. They were both amenable to the Crown and Parliament; to the former in his Majesty's courts of law, and to the latter in their inquisitorial capacity.

But if no such incurable objections as those he had mentioned stood in the way of the motion, the time the business would take was a most insurmountable one; for he dared to say, that there were two objects which the motion pointed to, that would take up seven years each before they could be brought to a conclusion.

Earl of *Shelburne* made a general reply to such of the noble Lords as objected to his motion, but was remarkably severe on the last-mentioned noble Lord, whom he represented by partial quotations and inapplicable references to have endeavoured to mislead their Lordships. He went over the former ground of the disputes between both Houses in the reigns of Charles the Second, King William, and Queen Anne. He contradicted his Lordship in almost every fact he stated and inference he drew, and congratulated the House and the nation on the precedent which the learned Lord gave in his own person, of his zeal for his country in prosecuting, as attorney-general, the petit larceny of a governor or colonel of a regiment who had charged for the cloathing of a few men who were not in being.

The *Lord Chancellor* went over a great deal of the former ground, relative to the informality and impracticability of the motion.

He then proceeded to answer other parts of the noble Earl's propositions mentioned in argument, but which did not appear in the motion. He said, the idea of setting up all contracts to the lowest bidder had been attempted upon many former occasions, but had, after repeated trials, been discontinued, being found productive of no real benefit in any instance,

stance, and of much inconvenience and mischief in many. When contracts are set up in this manner, he that makes the lowest offer is of course deemed the contractor, be he who he may, and the service comes, perhaps, by this means, to be performed by some person of no property, some adventurer; he proposes to himself an ideal prospect of gain and advantage, and who, if he should be disappointed, loses nothing, because he has nothing to risk. The fate of a great nation would not, in his opinion, be well trusted in such hands, and yet that must certainly be the case, if contracts were to be made in the manner proposed by the noble Lord.

His Lordship spoke to almost every other point discussed, but dwelt particularly on the following passage in the motion, which he could perceive clearly imported an exclusive privilege in favour of certain descriptions of men, should the proposed reformation take place. The words he meant were, "and at the same time to take into consideration what savings can be made, consistent with the public dignity, justice, and gratitude." For his part, he was at a loss how to find out how any reformation could take place, consistent with public dignity; if, by that was meant the dignity of the crown, arising from the civil list revenues, and if a reform was to be the effect of the motion, it contradicted in words what was the professed intention of it: the curtailing the public expenditure of the civil list, consistent with justice, was a phrase that called likewise for explanation; but above all, he was totally at a loss to know to what end the word gratitude had forced itself into the motion, if the exigences of the state called for such a reform; but that no reformation was to take place wherever dignity, justice, or gratitude set up their claims to favour, whether real or pretended, he believed the savings which would remain would hardly be worth the collection, for those who had no other merit to plead would set up dignity or justice; and as for gratitude, it was a word of such vague and indeterminate sense, when applied to the state at large, that he believed there was scarcely a single individual in the kingdom who did not think this country stood indebted to him.

His Lordship then entered into a discussion of the exclusive right claimed by the Commons of originating money bills, and of every power and privilege springing from that right, relative to the exclusive controul of its general appropriation, particular application and expenditure; and concluded with observing, that any attempt, in the first instance, to infringe on the rights of the Commons, respecting the grants and ex-

penditure of the public money at the present crisis, might be productive of the very worst consequences, by finally terminating in a disagreement between both Houses.

Lord *Camden* made a short but most eloquent reply. He observed, that the noble Lords who opposed the motion assigned every reason for their opposition but that nearest their hearts, which was, lest it might tend (as it certainly would, if agreed to) to diminish the overgrowing, dangerous, and unconstitutional influence of the crown. Much had been said upon various heads; but none of the arguments being sufficiently strong, a most curious one had been conjured up through the table, relative to the exclusive right of the other House to originate money bills, and controul and direct the public expenditure. Now he would cut all that matter short at once, by a single supposition that the point of order or exclusive privilege would instantly vanish if both Houses agreed in principle, and united in opinion, upon the necessity of a reform. No noble Lord present would deny, that that House had a right to enquire so, far as the disposal of public monies came under their cognizance as a deliberative body; now, in his opinion, it signified very little which House took up the business, so that the object was obtained; the matter could not be finally settled without the aid of an act of Parliament, and in that case either House had its power of assenting or dissenting to whatever came from the other. But he could answer once for all, that if Parliament should consent to adopt a plan of reformation, the means of carrying it into execution might be struck out in a few minutes.

He then talked of his own pension; said he received it for long services, and in lieu of a valuable office for life [Chief Justice of the Common Pleas] and that it would be a peculiar hardship upon him to lose it, and his family the reversion, which was to come after it as soon as the pension ceased; but, in consequence what they may, he should part with it, however the loss of it might distress him, when he reflected on the great and permanent advantages which would accrue to his country.

It was then moved to appoint a committee, consisting of Lords possessing neither place nor pension, to examine, without delay, into the public expenditure, and the mode of accounting for the same.

Which being objected to, after a long debate, the question was put, Whether to agree to the said motion?

Resolved in the negative. Contents 50, Proxies 5—55. Non-contents 81, Proxies 20—101.

Dissentient,

First, Because, however the waste of public money, and the profusion of useless salaries, may have been heretofore overlooked in the days of wealth and prosperity, the necessities of the present time can no longer endure the same system of corruption and prodigality.

The scarcity of money, the diminished value of land, the sinking of rents, with the decline of trade, are melancholy proofs that we are almost arrived at the end of taxation, and yet the demands are annually increased, while the hopes of peace are every year put to a greater distance.

For let any man consider the immense debt increasing beyond the possibility of payment, with the present accumulation of taxes upon every article, not only of luxury, but of convenience, and even of necessary use; and let him carry his thoughts forward to those additional duties which must immediately be imposed to make good the interest of the approaching loan, and of that debt which will remain unfunded, he will find that at least one million and a half of interest must be provided for, besides what may be farther necessary to make good the deficiencies of the late taxes.

Under these circumstances, the savings of a strict and vigilant œconomy in every branch, and the application of overgrown salaries, unmerited pensions, and useless places to the public service, are almost the only resources left in the exhausted state of our finances. But, besides this strong argument of necessity that presses upon the present moment, such, and so great are the abuses in the management and expenditure of the public money, as would call for the strictest enquiry and animadversion even in the best of times. The practice of expending immense sums, without consent of Parliament, under the fallacious head of contingencies and extraordinaries, the greater part of which might easily be comprised in an estimate; but because some unforeseen articles are not capable of such precision, the minister has, under that colour, found out a method of expending the public money first *ad libitum*, and when it has been so expended, has found means to induce Parliament to think itself bound in honour to ratify and make it good, deserves the highest censure; and no minister who shall dare to stake the publick credit, for money that has not been voted, ought to be justified by a less authority than an act of indemnity. The millions which remain in consequence unexplained and unaccounted for; the shameful facility of admitting almost every claim; the improvident bargains made for the public service; the criminal neglect

and even contempt of the few checks established in the board of treasury, besides great part of the money being shared in its passage among a tribe of collectors, clerks, agents, jobbers or contractors, or paid away by official extortion, or stopped in its course to breed interest for some engrossing individuals, are grievances which the present motion has in view to remedy.

Secondly, But, great and important as the motion is in this view of it, it is still more important in another, as it tends to narrow the wide spreading influence of the crown, that has found its way into every corner of the kingdom.

It is sufficient to allude to this grievance, without any farther enlargement: but this argument, though perhaps the strongest in favour of the motion, has been turned into an objection to it, as if it meant to abridge the rights of monarchy, and make the Crown dependant upon the Parliament.

If the objection means to insinuate, that corruption is necessary to government, we shall leave that principle to confute itself by its own apparent iniquity.

That this motion is intended to diminish the constitutional power of the crown, we deny. The constitutional power of the crown we are no less solicitous to preserve, than we are to annihilate its constitutional influence. The prerogative rightly understood, not touched, or intended to be touched by this motion, will support the crown in all the splendor which the King's personal dignity requires, and with all the authority and vigour necessary to give due effect to the executive powers of government.

It has been argued, that this is not a proper time for reformation, when all the attention of the kingdom should be employed upon the war, as the great and only object in the present time of distress; to which we beg leave to insist, that the present is, for that very reason, the properest time, because nothing is so essential to the conduct and prosecution of the war as the frugal management of that supply by which only it can be carried on with any prospect of success. Nor ought the plan of œconomy to be any longer delayed at the risque of a general bankruptcy, and from the history of this, as well as other countries, times of necessity have been always times of reform.

Thirdly, Because we conceive that the mode of a committee, which might be to act with a committee of the other House, and might, if necessary, be rendered durable, and vested with due powers by an act of the whole legislature, might bring back the public expenditure to its constitutional

principle, might devise proper regulations for opening contracts to the proposals of every fair bidder, for reforming the abuses of office, and the enormity of fees, with a variety of other abuses, particularly that of large sums of money lying in the hands of individuals to the loss of the state.

An objection has been strongly urged on the ground of an apprehension expressed by some Lords, as if they seriously entertained it, of its producing a quarrel between the two Houses of Parliament, in consequence of which the public business might be obstructed, by a claim on the part of the House of Commons to an exclusive right of considering and providing for the subjects of this motion.

Such a claim certainly cannot be supported as a consequence of the claim of that House to originate money bills. Not a single Lord appeared to entertain an idea that such a claim would be well founded. In truth, the objection supposes it to be ill founded, and that therefore this House will resist it; and yet it assumes that the House of Commons will advance and persist in this ill founded claim. We cannot discover any colour for such a supposition, unless we were to adopt the insinuations of those who represent the corrupt influence (which it is our wish to suppress) as already pervading that House. Those who entertain that opinion of one House of Parliament will hardly think less disrespectfully of the other. To them it will seem a matter of indifference whether the motion is defeated by the exertion of that influence to excite a groundless claim in the one House, or by a groundless apprehension of such a claim in the other. But we, who would be understood to think with more respect of both, cannot entertain an apprehension so injurious to the House of Commons, as that they would, at this time especially, and on this occasion, have advanced such a claim.

The motion has likewise been objected to on account of its disqualifying persons possessing employments or pensions to be of the proposed committee. We are far from supposing that the possession of place or pension necessarily corrupts the integrity of the possessor. We have seen, and the public have seen, many illustrious instances of the contrary; yet we cannot but suppose that the public expectations of advantage from this measure would have been less sanguine, if they had seen persons possessing offices selected to distinguish how far their offices were useful, or their salaries adequate; they perhaps would not think the possessor of a pension or office, the fittest judge how far that pension or office had

merited or was necessary. We cannot, therefore, think the motion justly exceptionable on this ground; it rather appears to us to have been drawn with a proper attention to noble Lords in that Parliament, exempting them from a situation which they must necessarily wish to decline.

We conceive ourselves warranted in the mode proposed by precedent as well as reason, and it was stated to the House to have been recommended by the most approved constitutional authors who have written since the Revolution, but having offered to meet any other proposition which might carry with it substantial remedy, and no such being offered notwithstanding the time this proposition has lain before the House, we cannot help considering the present negative as going to the substantial as well as formal part of the motion, and hold ourselves obliged to avail ourselves of our right of entering our protest against the rejection of the above proposition.

Fourthly. We are further impelled to press this motion, because the object of it has been seconded and called for by a considerable majority of the people, who are associating for this purpose, and seemed determined to pursue it by every legal and constitutional method that can be devised for its success; and however some may effect to be alarmed, as if such associations tended to disturb the peace, or encroach upon the delegated power of the other House, we are persuaded it has no other view but to collect the sense of the people and to inform the whole body of the representatives what are the sentiments of the whole body of their constituents, in which respect their proceedings have been orderly, peaceable, and constitutional. And if it be asked what farther is to be done if these petitions are rejected, the best answer is that the case cannot be supposed; for although upon a few separate petitions it may be fairly said that the other House ought not to be decided by a part only of their constituents, yet it cannot be presumed they will act in defiance of the united wishes of the whole people, or indeed of any great and notorious majority. It is admitted that they have a power to vote as they think fit, but it is not possible to conceive that so wise an assembly will ever be rash enough to reject such petitions, and by that means cause this dangerous question to be broached and agitated, Whether they have not broke their trust?

The voice of the people will certainly be complied with. Ministers may, as they seem to have done in a recent instance, deprive any man of what he holds at their pleasure,
for

for presuming to exercise his undoubted right of thinking for himself on these or other public subjects; but it will not be wise in them to treat these associations with contempt, or call them by the invidious name of faction, a name by which the minority in both Houses of Parliament have been so frequently and so falsely calumniated, because the name so applied will recoil back upon themselves, when acting against the general sense of the nation, nor will they be able to represent these numbers so respectable in rank and property (as they did but too successfully the discontented Americans) as a mob of indigent and seditious incendiaries, because the people to whom this is addressed are the very people that are abused, and every man bears within himself the testimony of its falsehood.

The ministers on this particular occasion cannot deceive the people.

FORTESCUE.

HARCOURT.

DE FERRARS.

BEAULIEU.

CAMDEN.

COVENTRY.

RICHMOND.

MANCHESTER.

DERBY.

EFFINGHAM.

GRAFTON.

PORTLAND.

FERRERS.

CHOLMONDELEY.

KING.

ABERGAVENNY.

J. PETERBOROUGH.

Dissentient without reasons, RADNOR.

For all the above reasons, except the fourth, OSBORNE.

J. ABINGDON.

PEMBROKE and MONT-

GOMERY.

FITZWILLIAM.

RUTLAND.

NUG. TEMPLE.

BOLTON.

COURTENAY.

STAMFORD.

TANKERVILLE.

J. ST. ASAPH.

WYCOMBE.

CRAVEN.

ROCKINGHAM.

SCARBOROUGH.

JERSEY.

DEVONSHIRE.

February 21.

The order of the day was read for summoning their Lordships, on notice given by the Marquis of *Rockingham*, that he proposed as that day to make a motion.

The order being read, his Lordship rose and observed that he informed the House before the Christmas recess, that he had a motion to make respecting the defenceless state of Jamaica; that a day had been fixed for taking the said matter into consideration, but that he had deferred the motion till after

after the recess, on account that Parliament was then on the point of raising, and he wished to have the subject discussed in a full house.

His Lordship after this exordium affirmed, that the island of Jamaica had been neglected for several years, both in respect of its internal safety, and external protection and defence.

He observed, that this neglect had been felt so strongly some years ago, before the breaking out of the troubles in America, that a petition had been presented in the year 1773 to government, stating that the trade, cultivation, and consequent commerce of the Island had been greatly improved and encreased within the preceding thirty or thirty-five years; that the number of black slaves had been proportionably encreased, as he was well informed, nearly double; that the white inhabitants had been greatly on the decrease, (he would not, he said, state the decrease, lest the common enemy might avail themselves of the information) that in consequence of such a decrease of white inhabitants, and such an encrease of slaves, the internal safety of the island required a larger military force than they then had; that they were well founded in this opinion by an insurrection among the blacks, which had been lately quelled, but which, from the reasons stated, they had a right to fear might break out afresh; that the whole military force on the island at the time consisted but of two battalions of 300 men each, or 600 men in all; that they had other reasons to be alarmed; in particular, that the French and Spanish had 10,000 regular troops at St. Domingo and Hispaniola, which, should any difference arise between those powers and Great Britain, might be successfully employed in the reduction of the island; and that upon these grounds the inhabitants of Jamaica were of opinion that a force of two battalions, or regiments of 1000 each at least, if not three, was the least that would be sufficient to protect the island from insurrections within, or attacks from without.

Notwithstanding this application, so strongly supported by the real state of the island, no notice was taken of it, nor answer given by government. The first fruits of it was in about two years after, when instead of augmenting the defence of the island, the governor received an order to send one of the two battalions to carry on the unfortunate and mischievous war in America, by which means the military was reduced to 300, or less, composed of one battalion of the Royal Americans.

Another

Another application was made in the year 1775, producing no other consequence, at the end of a year or more, than the trifling additional force of Dalrymple's Irish corps, which did not make the joint force amount to 700. With this handful of men the war with France was a year and a half old before a single man was sent, and then no more than one regiment, the Liverpool Blues; so that contrasting both periods together, when only the inhabitants dreaded an insurrection, they required two thousand at least, if not three, to defend them against their own slaves, and a possibility of a rupture in Europe; yet now that we had been almost two years engaged in a war with France, and nine months with France and Spain united, ministry could not be prevailed upon to send more than a force amounting to 1260 men, for that he was sufficiently informed was the amount of the last effective returns.

They had, he understood, been as badly protected by sea; for unless one ship of the line and the *Lion*, which bore away in distress after the naval engagement off Grenada, with two or three frigates, and a few vessels, sloops, &c. of no account, the island was left defenceless; so that if D'Estaing had detached a small squadron, the British naval force must have saved itself by flight, or fallen into the enemy's hands; and if D'Estaing had gone himself, after he had become master of the West India seas, accompanied by a very considerable land force, the island itself must have been captured. That this was not a mere assertion, he could prove from General Dalling's [the Governor] own letter, where he states the dread of a visit from D'Estaing, and does not hesitate to acknowledge, if he should not be strongly reinforced, that he despaired of being able to make an effectual resistance.

His Lordship, after dilating very fully on this subject, said, there had been frequent applications made since, but to no purpose, particularly in the course of the last summer; and that hitherto not a single ship nor man had been sent in consequence of them; nor more in all, since 1773, than the Liverpool Blues and Dalrymple's corps, which, considering that one battalion had been withdrawn since that period, amounted to no more than an augmentation of a single battalion, if so much.

His Lordship enlarged on the great value of the island pointed out; the immense loss it would be to this kingdom; and endeavoured to shew, the possession of it would give the house of Bourbon the empire, in a great measure, of the West India seas; and so long as it remained in the hands

of France, would be such a check upon North-America, that if our subjects there even wished once more to connect themselves with the Mother-Country, he doubted much whether they could, consistent with their own interests, should we lose our superiority of our possessions in the West Indies.

He was perfectly satisfied, that if D'Estaing had attacked Jamaica about the time of the date, or in some weeks after the date of General Dalling's letter, which was the 13th of August, it would be now in the hands of our enemies; and as France would be shortly again superior to us in the West Indies, by sea, he had every right to believe, as no land force had been sent to reinforce the garrison, that it would become a prey to our enemies, not a single man, nor a single ship, having been as yet sent there.

Such being the conduct of ministers, and such the neglect and comparatively defenceless state of that island, the merchants and planters had drawn up a remonstrance or petition; a petition to that House for relief, and a remonstrance against the conduct of ministers. He moved to have the House summoned, and the purpose was to present the petition. He would move for leave to bring it up, and afterwards moved to have it read and lie on the table for their Lordships' perusal, meaning at some short future day to frame a motion on it, in hopes that their Lordships would supply in their wisdom and care for the protection of every part of the British dominions, what had been so shamefully, and he might well add, criminally neglected by his Majesty's ministers.

The petition was then brought up and read. It stated a great variety of facts and reasons, the most important of which the Marquis mentioned in the course of his speech, and contained besides a great many pointedly severe animadversions on the conduct of ministers. He spoke largely of the character, property, &c. of the petitioners; said, he understood that there had been a protest agreed upon by some who disapproved of it, and quoted what he called a ludicrous passage in the protest, when one of the reasons assigned for disagreeing to it was, that it was the interest of the merchants and planters to stand well with government.

Lord Onslow rose, and contended, that the petition was improperly intitled, The Petition of the Merchants, Planters, &c. trading to, and possessing property in Jamaica; that it contained no more than the sentiments of a certain number so described, and ought not to be received in any other light. Many of the names, he allowed, were respectable, so
were

were many of the protestors equally so. He believed the number who signed the petition were 75 : of those who protested 50 : but though the majority in number was in favour of the petition, he believed the property possessed by the smaller number was equal to the full, if not superior. He had a property, and no very inconsiderable one. He disapproved, for one, of the petition, and had a right to protest, so had many other gentlemen ; and whatever motives might be imputed to the protestors, it would be hardly supposed in common sense, that persons possessing large property in Jamaica would protest against a measure professedly for its security and protection, if they really thought it was in danger.

The noble Marquis had singled out a passage out of the protest, as if the chief cause for signing it was because they wished to stand well with ministers. That was one ; but it would appear when the protest was read, one of the most inconsiderable ; he therefore begged to read the protest as part of his speech, which he did, and sat down.

The Marquis of *Rockingham* observed, that the noble Lord had much insisted on the property possessed by the protestors, and the respectability of their names. To settle that matter, he would move, that the names signed to the petition might be read, by which means the noble Lord would have an opportunity of passing the names signed to the protest in counterview. Most of the names were, he believed, known to their Lordships, and this comparison would enable their Lordships to determine upon the respectability of the two lists. The petitioners names were then read.

Lord *Onslow* declined to read the protestors names. He said, what he generally asserted was specifically true, that not one half the property of the island was possessed by the petitioners. There were a third of the merchants and planters who signed neither petition nor protest, and those who did not sign might be supposed to have disapproved of the petition. He could assert one fact in support of his opinion which passed in the petition suggested, where the petitioners state, that they have been exhausted by being obliged to defend the island, whereas the only sum raised for that purpose was 7000l. 1400l. of which was only subscribed by the petitioners.

The Marquis of *Rockingham* rejoined, with observing, that he believed the noble Lord's motives for declining to read the names of the protestors, as well as the protest itself, might be easily accounted for ; he was tender of some names, such

as Mr. Duncan Campbell, governor or commander of the *Justicia* yacht, &c.

Earl of *Sandwich*, said, as no motion was to be now made in consequence of the petition presented, he did not rise with an intention of bringing on a debate. All he would now say was, that there was not a single fact stated in the petition that he would not, at the proper time, be ready and prepared to disprove, one by one, nor a fact urged in its support neither, but that of the petitioners being a most respectable body of merchants and planters, and in every other instance as worthy and respectable a body of men as any in this or any other kingdom. Now he was up, there was one gross mistake which pervaded the whole petition, which was, that ministers had wholly abandoned and neglected the protection of Jamaica for a series of years; whereas the fact was notoriously otherwise. Both troops, military stores of all kinds, and ships of war, had been sent thither from time to time, and Lord Cornwallis, with a land force of 5000 men, was embarked at New York, accompanied by four men of war of the line. His Lordship was however countermanded, when it was known that D'Estaing had gone to attack Savannah.

The Marquis of *Rockingham* contended that D'Estaing, had not his troops been prevented by sickness, would have been in possession of Jamaica, before it would have been in the power of Lord Cornwallis to have sailed from New York. His Lordship's letter was dated the 16th of September; the expedition could not have sailed till the 23d, nor have reached Jamaica till near the middle of October. If Jamaica had been attempted, the attack would have taken place in the month of August, and General Dalling's letter of the 13th of that month declared, that if attacked, he was unequal to make any effectual resistance. He condemned ministers severely for not sending a naval force, since they were unequal to send a land one: why they were not able to send the latter, was to him somewhat extraordinary, as he understood, that the Secretary at War, in another place, asserted, that we had the preceding year near 100,000 men within the island, and there had been a considerable body of troops raised since; nay, he went so far as to affirm, that we had at the instant he was speaking, a more numerous body of men in pay, than any power in Europe, or, he believed, in the known world.

Lord *Sandwich* said, it was impossible to have a fleet sufficient to defend the windward islands and Jamaica both;
D'Estaing,

D'Estaing after the affair of Granada, had twenty-six ships of the line; and if he went to Jamaica, there must have been a force equal to defend it; and the land force at the windward islands, in all above fifty men of war of the line; for though the fleet, if stationed at the windward islands, could run to leeward, a fleet stationed at Jamaica could not work up to windward, so that we must have had fifty men of war of the line, or leave Jamaica or the windward islands exposed and unprotected. He had this from as able an officer as any in the service.

The Marquis of *Rockingham* said, let who will be his Lordship's adviser, he had as good a naval authority for contending; that since we could not spare troops for the defence of Jamaica, we should have stationed a fleet there, equal to its protection; the person he alluded to, he was not ashamed to name it, was Admiral Keppel.

Lord *Sandwich* replied, if the noble Marquis alluded to a particular adviser, he presumed he meant Sir Hugh Palliser. He meant him among others, and if he did, he thought that gallant officer inferior to no man within or without the kingdom. He never, however, trusted to the sole advice of any man. He sought information wherever he thought he could get the best, and that through various channels, and from different persons; and, after weighing what he heard from each, determined solely upon his own judgment.

The Duke of *Bolton* insisted, that the assertion quoted by the noble Lord could have come from no professional man, for the fleet might as well go from Jamaica to the windward islands, as from the windward islands, consequently that was no apology: besides, if the British squadron had gone to the protection of Jamaica, D'Estaing being then at the windward islands, could be in no danger, as there was no other French squadron in the West-Indies. But the truth was, the French were masters of the sea, and though Jamaica had been actually attacked by D'Estaing, our fleet being inferior, and the Admiral besides having no orders to quit his station, Jamaica must have fallen without a single British ship to defend.

After some further altercations the House rose and adjourned to this day, being summoned on a motion of the Duke of Bolton's.

No public business till the first of March.

March

March 1.

Previous to the reading of the order of the day, the Earl of *Radnor* rose to make some comments on the late militia bill, respecting the qualification of affairs. The original idea of the bill was, the excluding all persons from holding commissions in the militia, unless entitled by law, that is without holding a certain portion of property, which was to give them a qualification to accept, or indeed in some respects to oblige them to enter into the service. The militia laws had since their first institution undergone many alterations, but this principle had never been entirely abandoned or given up. No later than the preceding year, a like clause had been introduced or rather confined and rendered more operative, by additional provisions; but he was sorry to say no good consequences had been derived from them; for the clause was totally disregarded, and every person who stood well, or came powerfully recommended to the Lord Lieutenant, whether qualified or not, were admitted. He recollected but one exception, which was a noble Lord, who advertised that none but persons qualified by law, should serve in his regiment. He rose now however only to give notice to their Lordships, that he meant at an early day to submit to the House a proposition, he calculated, which would put this matter upon so explicit and permanent a footing, as would prevent in future the appointing unqualified persons to serve in the militia, beyond the power of evasion, or any breach of the law as it now stood, and had been originally intended.

The order of the day being then read for which their Lordships were summoned, the Earl of *Sandwich* rose, and moved, that the thanks of that House be given to Admiral Sir George Brydges Rodney, for the very important advantages he had gained over the fleet of Spain on the 9th, and 16th of January last. After shortly pointing out the singular merit of that gallant commander, he observed, that a circumstance attended it, which had distinguished it from any other almost in the annals of this country; that was, the capture of five ships of the line belonging to the enemy, besides those destroyed.

The Marquis of *Rockingham* rose to second the motion: he passed several high compliments on the skill and bravery of Sir George Rodney, and said, the nation was highly indebted to the Admiral; little was due to the admiralty board, for it clearly appeared, that so far as ministers were concerned,

concerned, our good fortune was purely accidental. The relief of Gibraltar and Minorca were, he allowed, necessary services; that was the sole object of the armaments. In the performance of that service, fortunately for this country, Sir George Rodney met the enemy, and like a spirited and meritorious officer availed himself of the opportunity; and by his skill, bravery, and gallantry, had rendered the public the most eminent service. He heard, that in another place (House of Commons) where the same subject had been under consideration, it was proposed, besides a vote of thanks, which he should ever consider a most honourable testimony, to follow the vote with some mark of more substantial favour, and he thought very properly so, for no man deserved it better; and he confessed, that he did expect before the noble Earl, who made the motion, sat down, that he would have given some intimation of such an intention. He understood, that the main object for which Sir George Rodney was dispatched to Gibraltar, being by this time attained, that his instructions were to proceed to the West-Indies; if therefore in the performance of the other part of his instructions any accident should happen, he thought no time should be lost in conferring on him an immediate reward. He had an additional reason for urging this matter now; because this gallant officer had once before been thanked by that House, yet was afterwards shamefully neglected; so much so, that there was an anecdote current about town that had not been as yet contradicted, that we should have been deprived of this gallant officer's services, but for the almost unexampled generosity of a French nobleman (alluding to the story of the Duke de Byron) who not only relieved him from his immediate distresses, but enabled him once more to return to his native country. He did not wish to point out the particular mode of rewarding Sir George, but he understood there was a post of considerable consequence now vacant (lieutenant-general of the marines) the institution of which was purposely to reward men of merit in this line of service; and as he knew no man more deserving of that post, and as promoting him to it would create no additional expence to the public, he did not see where that appointment could be more deservedly bestowed.

The Duke of *Grafton* pressed the general argument of reward very strenuously; and the particular mode of rewarding Sir George, in the way hinted by the noble Marquis, in terms equally warm. He said he was much surprised not

to hear from the noble Earl at the head of the admiralty something specific and authoritative on the subject, not in the shape of a motion, as that would be informal, but in a general intimation that his Majesty spontaneously from himself, or by the advice of his confidential servants, would follow up the present vote with a reward suitable to the very eminent services the Admiral had rendered his country.

He hoped the noble Earl would, in the performance of a duty which confessedly lay upon him, give the House, before it rose, some assurance of such an intention. For his part, if he did not hear some assurance of that kind, he should quit the House with regret. The Admiral, he understood, was destined, as soon as he fulfilled the object of the primary part of his instructions, for the West-Indies: if any accident in his way thither, or after he should arrive there, should befall him, in all probability his present merit would be forgotten. Experience had already proved how Admirals and commanders were treated, when they proved unsuccessful. He would not say that any officer since the commencement of the present war, had been so successful; but this he might assert, that several great and able officers had been employed, and having from the defeat of the plans under which they acted, or from other circumstances originating from causes for which they were by no means responsible, not answered the expectations of the public; it was well known what arts, both within and without doors, were used to whisper away, insinuate, or directly depreciate, the characters of those very deserving, though unsuccessful men. If in the course, of the admiral's further operations any thing should happen which might impede his success, he made no doubt but the same arts would be employed against him; and that every effort would be made by administration, as in the instances alluded to, to throw the blame upon him, and blast his well-earned laurels. For these reasons he urged the noble Lord at the head of the Admiralty, to give their Lordships some satisfaction, some pledge, that Sir George Rodney's very eminent services, would meet with an immediate and suitable reward.

Earl of *Effingham* pursued the same argument, and entered into a more specific explanation. He said it was no secret that Sir George Rodney was ordered out with an intention, *after effecting the relief of Gibraltar and Minorca, to proceed*

to the West Indies; it was equally well known, that no more than three, or at most four ships of the line, were to proceed with him to the place of his destination. In the American seas there were but nineteen under Admiral Parker, four in North America under Admiral Arbuthnot, and six at most are going out from England; in all thirty-two. It was confidently said, that eight out of Admiral Parker's fleet must return to repair and refit, having been nearly two years from Europe; but supposing that no more than half that number should return, the whole of our force in the West Indies would not exceed twenty-eight. On the other hand, Mons. La Mothe Piquet and Le Crasse had sixteen under their command; seventeen had sailed from Brest under Monsieur Guichen early in the last month, with 9000 land forces on board. Spain had six ships at the Havannah. The papers reported that smaller detachments had been sent there; and it was generally believed that Monsieur Duchaffault was preparing to follow Monsieur Guichen with a strong additional force: but putting rumours and reports out of the question, it was evidently clear that the enemy at the opening of the next campaign would have a considerable superiority in the West Indian seas. Under these certain circumstances, what might be the fate of Sir George Rodney? but that overpowered by a superior force, should that happen to be the case, administration, to cover their own neglect and bad management, which was exactly similar to the fate of another brave officer, would endeavour to throw the blame upon Sir George, and cancel the obligations his country owed him, by imputing his former successes to accident, or a superior force. He therefore, as well to reward the services of the gallant admiral, as to prevent ministers from sacrificing the character of a great and deserving officer, anxiously wished that some immediate reward were bestowed on the admiral.

The Duke of Bolton went over a great part of the same ground, extolled the military prowess and professional skill of Sir George in very strong terms, and spoke as a professional man to several particulars. He chiefly confined himself to the situation of our naval affairs in the Mediterranean and the West Indies. He said, he understood that the distribution of the fleet was this: that four ships were to proceed under Sir George Rodney to the West Indies, and that the remaining twenty, or twenty-one, were to return to England; by which means the Mediterranean would be deserted, and Sir George would be considerably inferior in the West Indies. This

was at once deserting one service and stinting the other. If we could not spare a force sufficient for the Mediterranean, we might, surely spare a greater force for the West Indies; or if none could be spared for the West Indies, surely Gibraltar ought to be protected.

After urging this matter in several points of view, he said he fully acquiesced in the sentiments of his noble friends, that some mark of substantial reward ought to be bestowed on the very able and deserving officer who was the object of the present address, and none more proper than the one mentioned, that of lieutenant-general of the marines; and the more so, as keeping that post vacant, was an act extremely unpopular, on two accounts; first, as the present was a time of war, when, if the post was at all necessary, it would be doubly so; secondly, as the not filling it held out an appearance; as if ministers intended that the person who had been dismissed from it [Sir Hugh Palliser] he believed, with the general approbation of all, but his immediate friends were again to be reinstated.

This appearance was strengthened by this particular circumstance, that from the time the post was created, till the late vacancy took place, he doubted much whether it had been vacant for more than a few days at any one time.

Earl of *Sandwich* answered no part of what had fallen in the course of the debate, but what related to the giving Sir George Rodney a reward. He said, it was the peculiar province of the crown to distinguish and reward those who had served it ably and faithfully; that it would be presumption in him to undertake or say what his Majesty might or might not, or ought to do; that it would be a direct invasion of his prerogative to prescribe to him on such an occasion; that graces and favours, such as those described, were the proper gift of the Sovereign; that he never wished their Lordships to entrench on this exclusive right; and that as to any promise, it would be indecent to make it in or out of that House: but it was, he believed, well known to be one of the leading characteristics of his Majesty's reign, to reward such of his subjects as seemed worthy of his favour and protection.

The question was then put on his Lordship's motion of thanks, and agreed to *nem. con.*

His Lordship moved likewise, that the noble Lord on the woolsack be desired to communicate by letter to Sir George Brydges Rodney, the vote now passed, and acquaint him of *the very high sense this House have of the important and signal services he has performed for his country.*

No

No debate till Monday, March 6th.

March 6.

As soon as the order of the day was read, Lord *Wycombe* [Earl of Shelburne] rose, and acquainted their Lordships, that the reason why he troubled them in summoning them that day, was, for purposes that concerned the honour and dignity of Parliament, and the support of the constitution; it was to enquire into the cause of two noble Lords near him being dismissed their employments, to whom no charge of delinquency could possibly be made, nor even was pretended to be made; nor could any reason be assigned but this suggestion, that one noble Lord had declared the side he should take on a question agitated in that House, and the other noble Lord had absolutely voted on it. These were the only crimes they had committed; and for the exercise of this common freedom, inherent in the constitution, and belonging to every member of either House of Parliament, they were disgraced in the face of their country, without even so much as knowing the cause of their dismissal, or having the opportunity of satisfying their respective counties on that head.

His Lordship spoke fully and forcibly to the dangerous lengths this proceeding led to, particularly at a time like the present, when every body confessed and felt the influence of the crown in the extremes of every department, from the minister to the lowest officer of excise. He likewise stated the power of lord lieutenants, respecting the militia laws; spoke honourably to the characters of the two noble Lords whose dismissions were pointed out by the motion, and adverted with great energy to the various evils which might result from such a system of government, where their duty to their country was interpreted to amount to an act which called for some signal mark of his Majesty's displeasure: besides the discontents, the displacing two persons of their rank in the state as well as public and private characters, for no other crime but that of voting agreeably to their conscience. His Lordship then, with his usual knowledge of constitutional history, entered into a very exact detail of the rise and power of lord lieutenants of counties. He said, that this great office, though vested in the constitution, was not generally established till the reign of Queen Elizabeth; and that its powers from the beginning were, in a great respect, independent of the crown, and always considered as a balance between the people and the power of prerogative. Having shewn this in some instances, his Lordship adverted

to the establishment and power of the militia, praised its original institution, and the constitutional effects such a body of freemen must, under proper regulations, yield to their country; but that this great institution, ever since the year 1762, had been so broken in by acts of Parliament, as to throw its power and force into the hands of the crown, that it was daily becoming one of the state engines of corruption.

From the militia his Lordship passed on to the army; and here, being on firm ground (his Lordship being bred a soldier) he was accurate, spirited, inquisitive, and informing. He spoke with a peculiar and honest vehemence of a regulation lately adopted in this school of war, called occasional rank; he said this was the most destructive humiliating principle that could possibly be brought to operate upon a soldier; a character nursed and educated in high notions of honour, and whose very existence depended upon his fame and emulation; that though he would rather avoid giving any precedents of this abuse, yet that it should not be thought he dealt in mere declamation, he would ask what pretensions a Mr. Fullarton had to be appointed a lieutenant colonel? This gentleman had never held any rank, or ever was in the army before; he had been clerk to the noble Lord in the green ribbon [Lord Stormont] when on his embassy to France, where perhaps he might have acquitted himself very well with his pen, but never was acquainted with the use of the sword; yet this clerk in office, this *commis*, contrary to all military establishments, contrary to all the spirit of the army, was now a lieutenant colonel, and had the superiority in command over Lord Harrington, a young nobleman of the most active and enterprising spirit, who had fought his way, inch by inch, to command, and whose great rank and family connections served him in no other light but to have marked his services to the public.

His Lordship, after this, enumerated many other instances; and indeed the noble Lords who sat round him, furnished him with so many, that he begged leave to decline giving any more of that scandalous and degrading practice; but turning to the woolsack, called upon the noble Lord who sat there, to ask him how he should like to see men, who called themselves lawyers (he did not mean even Scotch lawyers) but men who had never been in the least degree educated as such, at once assuming the dignity of the bench, and undertake to expound the laws and constitutions of this country?

In this pointed animadversion on the abuses of the army, he paid the highest compliments to Lord Amherst; wondered he did not see his name at the head of the office, which the constitution allowed of (commander in chief), as he was very sure, could he remedy the abuses complained of, he would. He at the same time reprobated the scandalous insinuations thrown out by ministry, and their runners, against this noble Lord's avarice. He new it to be false, and could arise from no other ground than that little sordid principle which prevails in corrupted minds to endeavour to sully the reputation of men of contrary principles.

From the whole of this speech, which was above an hour and a half long, full of information, full of eloquence, and full of fire, and which none can have a proper conception of, without hearing him, his Lordship described the alarming and dangerous influence of the crown, which was taking such daily strides, both in the militia and the army, and in short, in every other department, that if it was not immediately checked, the prerogative would be the ruling influence of the state. He then proposed the following motion, at the same time assuring their Lordships, if any one Lord could rise and declare upon his honour, he did not believe these two noble Lords were displaced from their offices for giving their votes in Parliament, he would withdraw it.

"Whereas the Marquis of Carmarthen was dismissed from his employment of the Lieutenancy of the East Riding of the county of York, on the morning of that day when his opinion to support with his vote a motion that was made in the House on the 8th day of February last was well known; and whereas the Earl of Pembroke was likewise dismissed from the Lieutenancy of the county of Wilts soon after he gave his vote on the same question, which office of Lieutenant has been at all times important, but most peculiarly so under the present constitution of the militia. And whereas no cause has been suggested or communicated to either of the said noble Lords for such dismissal, this House therefore hath every ground to believe that the same had reference to their conduct in Parliament."

And it was therefore moved, that an humble address be presented to his Majesty, to desire that he will be graciously pleased to acquaint this House whether he has been advised, and by whom, to dismiss the said two noble Lords, or either of them, from their said employments, for their conduct in Parliament.

The motion was then read by the Lord Chancellor, when

The Marquis of *Carmarthen* said, the nature of the motion was such, as that he could not in delicacy vote in support of it. He nevertheless heartily approved of it, and for this particular purpose, that by it he hoped he should be able to tell his enquiring county the reason he had been displaced from acting as their Lord Lieutenant.—Nor had he likewise attended in his place to the motion to be able to answer any noble Lord in the course of the debate, which he would reserve himself for without at present saying any thing more on the subject. He would add, however, that understanding such a motion was to be made, he should certainly have staid away, were it not in order to hear from the mouth of some of his Majesty's confidential servants the reason his gracious Sovereign had for dismissing him from the Lieutenancy of the county over which he had the honour to preside. He flattered himself his removal was not occasioned by any abuse of the power annexed to his office, nor did he understand that he had given any offence to the people of the county of York, either as Lieutenant or by the vote he had given; as he received several letters from many of the most respectable gentlemen in that county, containing a full approbation of his conduct in Parliament.

The Earl of *Pembroke* rose next, and explained the nature of his dismission, which he was sure his Majesty was advised to, as when he resigned the office of Lord of the Bed-chamber to him he met with the same gracious reception he was wont to do. He said his family had been Lord Lieutenants of Wilts ever since the office was known in England, and he was happy to find that his conduct had been such, upon all occasions, as to meet the approbation of his county.

His Lordship was remarkably severe upon some late promotions which had taken place, and he said, he despaired from his heart the means made use of to obtain rank, contrary to the established rules of service, and affirmed, that army in which such things were permitted must either moulder away, or become a dangerous engine in the hands of government. As the present motion respected him, as well as the noble Marquis who had just sat down, he must, like the noble Marquis, decline giving his vote.

The Earl of *Abingdon* rose to give his entire approbation to the motion, and paid the noble Lord who made it many compliments; the dangerous influence of the crown was known and felt throughout the state, and had reached, and
in

in a greater or less degree affected every class and description of men, and if such instances were permitted to go off, unenquired into and unredressed, the danger might become irremediable.

Lord *Stormont* rested his opposition to the motion, principally on the discretion of the Crown to remove any officer it thought proper; that this discretion was given the Crown by the constitution, no noble Lord had thought proper to deny; it would, therefore, his Lordship said, be out of all rule to address his Majesty on such a subject, when his prerogative was concerned, and instanced the conduct of the long Parliament in support of his opinion. In respect to the abuses of the militia and army his Lordship was quite silent, unless a few words in defence of his quondam clerk in office, now Lieutenant Colonel Fullarton, by saying, though he was not bred to the army, yet from his known and tried character, he dared to say he would support the character of a soldier with spirit and propriety. Before his Lordship sat down, he animadverted with great apparent feeling on the previous declaration made by a noble Marquis, "that he would give such an opinion on such a question;" that this declaration he did not expect from any noble Lord before he heard the debates on the question on which he might stake that opinion. His Lordship observed that the two noble Lords held their offices through the favour of the Crown, and had therefore no right to complain when it was withdrawn; for they lost nothing they could call their own; and concluded with the following apostrophe:—"God forbid that any man should come into this House with a determined opinion to vote, without first hearing the debate."

Lord *Radnor* spoke in favour of the motion, and in particular to the abuses daily creeping into the militia laws, which, his Lordship said, in the course of the session he should take up more particularly. He reprobated with becoming spirit the dangerous influence of the Crown, and said it was expected that noble Lords who held places, &c. should vote as prerogative should dictate, such places could be considered in no other light than the worst of bribes.

Earl of *Effingham* followed Lord Radnor on the constitutional ground of Parliament being independent of the influence of the Crown, and combated many propositions laid down by Lord Stormont, particularly at the word discretion of the Crown. He allowed the Crown this discretion; it was never contradicted

dicted.—But the abuse of this discretion in the crown was what Parliament at all times had a right to enquire into.

The Marquis of *Rockingham* made some pointed observations on the abuse of the militia laws; said, that they were in every respect making daily nearer approaches to a standing army. The militia was instituted merely as a constitutional force, and pointed to two objects; that is to say, for the defence of the kingdom from our foreign enemies, and at the same time, to have that defence composed of men, not immediately dependent upon the Crown and its ministers. This was the true and original idea on which the militia, as now constituted, was first taken up; but if unqualified persons were permitted to serve, merely as mercenaries, for the sake of pay and rank; if substitutes were continued from time to time, at the expiration of three years, for which they engaged; and finally, which was the main spring of the whole, if the Lords Lieutenant were to be dismissed merely for their political principles, or for differing with the ministers for the time being, be he who he might, for causes would never be wanting, as they could be continually created; he, for one, saw the difference between a militia and a standing army; of the two, he was inclined to give the preference to the latter, because they very seldom troubled themselves with parties or politics, but confined their attention chiefly to their duty as soldiers, and to the interest and honour of their country, and their Sovereign. It was much to be lamented that this country, at this present critical period, was so distracted and divided, and without travelling beyond the bounds of probability, he could readily conceive, that by displacing Lords Lieutenant of one description, and replacing them by another, it would be a task much less difficult to model the militia, agreeable to the wishes of ministers, than the army. His Lordship, after pressing these arguments very forcibly, and urging them in several points of view, expressed his fullest approbation of the motion moved for by the noble Earl.

The Duke of *Richmond* in answer to two expressions which fell from the noble Viscount in the green ribbon (the first, relative to the discretionary power of the Crown to dismiss, at pleasure, all officers holding places under it; and the other, "God forbid that any noble Lord should enter, pre-determined, to give his vote before he heard the debate,") said, that he was much surprised to hear the noble Viscount, of all men alive, make use of the latter expression, when his
Lordship

Lordship must know, that there was not a single Lord present, who had so often given a vote without hearing so much as a tittle of the debate.

He would not undertake to state the exact number of years the noble Viscount acted abroad, in a public character; he believed upwards of thirteen or fourteen; yet, during so long a period, he never remembered having been present, at a debate, in which the noble Viscount, though absent, did not vote by proxy, without hearing a syllable of what passed, being, at the time, several hundred miles distant from the passing scene, at Paris, Vienna, &c. Nay more, though perhaps that was a sign of the noble Lord's conversion, or an acknowledgment of his error, for he has since heard him say, that he voted by proxy, in that House, in favour of measures of which he did not approve.

As to the unlimited, unrestrained discretion of the crown, in a choice of persons to fill the offices of the state; it was no doubt an inherent, indisputed prerogative vested in it, for the wisest and best purposes; but it was a prerogative or right, the exercise of which, as well as every other power or right the crown enjoyed, that was subject to the controul and animadversion of Parliament. It was like them, exercised by council and advice, and if improperly exercised, as in other instances, subjected the advisers to enquiry, and if the cause was such as not to justify the advice, subjected them to removal, censure, or punishment. This was what was meant by a discretionary power being vested in the crown, it was neither more nor less. There was an unsound discretion as well as a sound discretion; by the sense put upon it, it meant no more than a power or ability to act, which was after subject to the controul and discussion of Parliament.

After explaining very fully what he understood to be the discretionary power or prerogative, which the Kings of this realm enjoy, or have a right to claim under the constitution of a limited government, he contended, whenever that power was wantonly and evidently abused, it became tyrannical or arbitrary, and not discretionary.

His Grace then proceeded to shew, that the whole order of things was reversed in the line of promotion, civil and military, particularly in the latter. All rank was trampled upon, all subordination was at an end; corruption and faction had pervaded every order of men, and every department of the state. Influence and patronage had swept every thing before them, and favour, and not merit or experience,

was

was the sure road to preferment. A stronger instance could not be adduced, than the one mentioned by the noble Lord who made the motion. He desired any one Lord to lay his hand on his heart, and fairly declare, whether he thought a man closeted in Paris, or thrust up behind a desk, could instantly, by intuition, step forward as a candidate for military command, or if he did, what kind of persons those must be, who could not only listen to, but give way to such ridiculous and absurd pretensions? Yet such was the case in respect of a late military promotion. A man of yesterday, a clerk to the embassy at Paris, was, by a mere exertion of power or ministerial caprice, put over the heads of upwards of a thousand officers, many of them of long and tried service, of established merit in their profession, and bred up to the art of war from their earliest youth. Such promotions, so contrary to the rules of service, not only in this country, but all over Europe, was sufficient to drive every man of honour and spirit from the service, to disseminate discontents throughout the whole army, and to deter the young nobility and gentry of weight and fortune from entering into the army, when not only they were liable to be robbed of their just rank, in the usual course of preferment, but to have persons put over their heads to command them, who perhaps hardly knew the right end of a firelock.

Lord *Denbigh* rose and declared, that he had the highest esteem and regard for the two noble Lords, whose dismissal from the post they lately enjoyed, furnished the subject matter of the present debate. That the father of one of them [Duke of Leeds, father of the Marquis of Carmarthen] was an old and particular friend, with whom he had lived for a great number of years upon a footing of the greatest intimacy, and that consequently every motive, as an individual, to have been nearly interested in any circumstance which related to that noble Duke and his family, and of course in any matter which concerned the noble Lord in his eye, whose political sentiments he understood very materially differed from those of the noble Duke, his father, for the last twelve months. Indeed, neither the noble Duke nor he thought as the noble Marquis did, respecting the conduct of public affairs.

When he said this, however, his duty would not permit him to be silent, when he heard it suggested that the noble Lord to whom he was alluding, or either of the noble Lords, were dismissed from their offices of Lord Lieutenant on account

count of any vote they gave, or said they would, or meant to give in that House. The noble Lord who made the motion, and the noble Duke who spoke last, called upon noble Lords to rise, and lay their hands on their hearts, and fairly declare upon their honours, whether or not they thought that the noble Earl and the noble Lord, whose names were used as the foundation of the present motion, were dismissed merely on account of their conduct in that House. In answer to which, he, as one who was called upon in this solemn manner, could lay his heart on his hand [here a loud laugh] and declare, that he did not believe it was; for if it were a principle of that kind which caused the removal of the noble Lords from the posts they lately filled, he had several noble Lords near him, and at whom he was now looking, (here he eyed the Dukes of Manchester, Richmond, and Grafton, Marquis of Rockingham, &c. being on that side of the House) who were in a continual state of opposition to government, and enemies to the crown, yet, were nevertheless permitted to retain their offices of Lords Lieutenant. He said, that if the fact had been as stated, and the cause assigned for the removal of the two noble Lords was on account of their conduct in that House, it would not be without numerous precedents to support and sanction it. He believed it had often been done since the revolution, and under the favourite administration of the noble Lords who would vote for the present proposed address, and there was a recent instance of the kind early in the present reign, when none of his present Majesty's confidential servants were in power, he meant the case of a noble Earl lately deceased [Temple] who, for a vote given in that House, had been removed from the Lieutenancy of the county of Bucks.

Earl *Temple* rose, and said a few words merely to set the noble Earl right, as to the fact just stated by him; he could assure the noble Earl he had been grossly misinformed as to the cause of his noble relation's removal from the Lieutenancy of the county of Bucks; it was not on account of any vote given in that House, that his noble relation was removed from his office.

The Duke of *Richmond* said, he wished to know from the noble Lord who spoke last but one [Denbigh] whom he meant to describe under the appellation of the enemies of the crown. If his Lordship knew of any such, it was his duty to point them out, nay, it would be criminal in him to conceal them; if, on the other hand, the noble Earl undertook

took to make general loose accusations, but accusations of a very dangerous, cruel and inflammatory tendency, which included in their objects several persons of high rank and great trust, and, in fact, involved a charge of a very criminal, indeed, of the most criminal nature, that of being enemies to the crown, and of course enemies to the constitution and their country; he insisted that the noble Earl would rise and explain his words before their Lordships proceeded a step further in the debate. He maintained, that it was highly unbecoming the gravity of their Lordships' proceedings to permit such injurious, and he would add, ill-founded, unsupported, and malicious expressions, to pass unnoticed and unreprehended. He, therefore, expected that the House would immediately insist upon the noble Earl to rise and explain, or retract his words, or undertake to make good his charge, or what he meant by saying, that the enemies of the crown were still permitted to retain their posts of Lord Lieutenant. [Lord Denbigh did not rise, but said, he meant not enemies to the crown, but of the present administration.] His Grace proceeded without taking any further notice of the expression on which he had been commenting.

His Grace took notice of another expression which fell from the noble Earl, when he asserted so confidently, that the noble Marquis was not removed for any opinion, or vote given or delivered in that House. This was rather stepping a little out of the way; the noble Lord was no cabinet minister. He was at a loss therefore to even guess whence he drew his information, unless through his interest and intimacy with a certain great court Lord, still believed to retain no small share of influence in his Majesty's councils. He was evidently the confidential friend of the noble Lord alluded to [Bute] and no better proof need be adduced, than his being always intrusted with that noble Lord's proxy.

His Grace, after stating several strong arguments to show how deeply the constitution had been wounded in the gross abuse of the trust delegated to the executive power, which was intended to reward merit, and promote public virtue, but which, in the instances stated in the motion, had been employed to purposes directly the reverse, proceeded to support these general assertions, in a great variety of instances, in which the power vested in the first magistrate, or rather in his ministers, had been most shamefully perverted, not only by endeavouring to undermine the independency of Parli-

ment,

ment, but likewise in the disposal of places of high trust, pre-eminence, and actual service. His Grace directed his attention a second time to the late shameful promotions which had taken place in the army, so contrary to every former precedent, and in every respect tending to fill the whole army with disgust and discontent. In proof of this, he mentioned the promotions of Messrs. M'Carmack, Keating, &c. who had lately, (the former from being a captain, and the latter a subaltern on half-pay) been raised to the rank of colonels, with the command of regiments annexed to that rank; and the gentleman to whom he had before alluded, who had been lately clerk to the noble Viscount in high office, when ambassador at Paris, who, he presumed, had never seen any gun discharged, but a *pop* or *water-gun*, yet he was now removed from behind the desk, and promoted to the command of a battalion!

His Grace made a long and spirited speech, and read in his place an extract from the debates of the Lords in the year 1733, where, upon the crown's dismissing Lord Cobham and the Duke of Bolton from their places, a protest had been entered into by several noble Lords (the late Lord Bathurst at their head). This he hoped would strike their Lordships as a precedent for the right of Parliament to regulate the abuse of discretion in the crown, and in particular draw up a noble Lord in his eye, (the Lord President) to support the sentiments of his noble father; concluding with an appeal to the law Lords and Bench of Bishops, asking the learned Lord on the wool-sack, and the right reverend Prelate, at the head of that Bench, next the fire, how they would approve to have silk gowns and dignities in the church conferred upon men every way unfitted for such stations, by habit, education, or learning, and totally ignorant of both law and gospel.

The *Lord President* [Bathurst] declared that he always disapproved of removing persons from their appointments on any other ground but that of neglect or incapacity: and he could say with truth, after upwards of thirty years public service, that he did not know he had ever made an enemy, or given just cause of offence, in any public character he had filled. Having said this, however, he, for one, thought that the present motion was highly objectionable on several accounts, and on none more than it directly went to trench on one of the first prerogatives of the crown, that of a choice of its own servants. The power of the crown might, in some instances, be imprudently exercised. Every power, however modified

modified, or to whomever intrusted, was liable to some degree of abuse ; not that he at all supposed that to be the case in the present instance, for there was nothing that distinguished the removals which formed the subject of the present debate, from a successive stream of precedents, from the revolution down to the present day, in times looked upon to be the most favourable to liberty : but allowing the arguments urged by the noble Lords who supported the motion in the fullest extent ; give them every weight those who urged them wished to give them, he was perfectly satisfied that there was not a single noble Lord on either side of the House who seriously wished to have his Majesty's prerogative abridged, much less annihilated, which would be the direct consequence of agreeing to the present motion.

Marquis of *Rockingham* rose a second time, in order to shew the ill-founded suspicions of a noble Earl [*Hillsborough*] who, in a former debate, had reprobated the county meetings, associations, &c. in the most unhandsome and unbecoming manner, whence his Lordship drew this inference, which he was ready to prove and corroborate by the most respectable authority, that the motives which induced several noblemen and gentlemen to enter into and encourage them, were solely the welfare and interest of the nation in general ; that the invectives thrown out by the noble Lord on a former day, of their tending to factions and seditions, were notoriously groundless, and served only to deter men, friends to the cause which those petitions were calculated to promote, but timid and cautious in their nature, from resorting to the only means left in their power for removing the evils they so deeply felt, and so loudly complained of.

Lord *Hillsborough* rose, and denied that he had on a former day called the associations factious, seditious, or unconstitutional, but that the petitions which were received from them, contained many circumstances from which faction and sedition could be well inferred ; he also said, he had the greatest respect for the two Lords who were dismissed, but begged leave to decline the giving his assent to the motion.

Lord *Craven* made a short speech, and spoke warmly in favour of the motion ; he said, that as the two noble Lords who were the subject of debate, had no intelligence, public or private, of the motive which induced his Majesty to deprive them of their respective employments
of

of Lords Lieutenant; and that their removal afforded the public ground to surmise that the two noble Lords' conduct and ability was not equal to the task imposed upon them; it therefore was his candid opinion, that a humble address be presented to his Majesty, requesting he would be most graciously pleased to let the House know who advised the two noble Lords' removal from their important offices. His Lordship concluded his speech by bestowing large encomiums on the associations of the county of Berks.

The *Lord Chancellor*, with his usual industry, laid hold of every expression dropped during the debate which tended to the diminution of the influence of the Crown. He seemed to coincide with Lord Stormont relative to the motion, and said, if his Majesty's royal will was subject to parliamentary controul and examination upon every promotion or removal which prudence directed him to put into execution, such modes of proceeding would end in a total subversion of his Majesty's prerogative, and Parliament could never put an end to the different enquiries that would ensue upon the exercise of the King's prerogative being exercised either by dismissing his Lieutenants, or appointing others in their room. He also said, if the present motion succeeded, the consequence would be, that the House would never be extricated from difficulties which might necessarily be the consequence of such addresses and appeals to the Sovereign upon every exercise of the powers vested in him by the constitution. He then proceeded to answer several parts of the speech made by the noble Lord who moved the address in a strain of irony, which did not at all seem to be his Lordship's forte.

He gave his attention more particularly to the subject under consideration, the result of which, stripped of the variety of collateral arguments which accompanied it, was, that no proof had been laid before their Lordships, nor even an attempt to prove that the dismissal of the noble Marquis, or the noble Earl, arose from any vote they had given in that House; consequently till some facts were stated, or proof made, that their parliamentary conduct was the cause of their dismissal, it could not be decent to approach the throne upon the subject; on the contrary, it was his opinion that it would be highly improper and disrespectful.

Lord *Camden* spoke next, and made several objections to the Lord Chancellor's mode of reasoning, which, in every degree, tended to subvert the independence of Parliament.

It ought to be an object of the greatest importance to every noble Lord present to ascertain the privileges of Parliament which they must necessarily be deprived of, if the learned Lord's (on the woolsack) arguments were conclusive; and he further added, that proceedings of that nature, which were carried on without ministerial discussion, and smuggled by the influence of individuals, reflected great disgrace upon his Majesty's councils; and if proper remedies were not applied to prevent the effects which are generally annexed to whispering-work, the nation would deeply feel the evil; he therefore thought it proper to give his assent to the motion respecting the two noble Lords, as its succeeding might prevent private influence from having the power of depriving men of rank and fortune from serving their country, and serve as an antidote against those who are corrupt enough to promote men, who have neither rank, fortune, nor even abilities to perform the functions they undertake.

His Lordship concluded his speech in nearly the following words.—I will, said his Lordship, put it to a short issue. Is there a noble Lord in this House who believes that the dismissions alluded to were not occasioned by votes given within those walls. I am astonished, therefore, to hear the learned Lord call for proofs: What proofs would he desire? Nay, I will take it the other way; the two noble Lords have been dismissed; where are the proofs of their incapacity or malversation in office? I grant, indeed, that in a court of law I should desire more direct and substantive proofs, but to the common sense of mankind what can be more satisfactory and direct?

The *Lord Chancellor* rose to explain what he said relative to the King's prerogative, which, he endeavoured to prove, did by no means affect the rights or privileges of that House; and that he meant no more than, that as many offices were at the King's disposal, which, when disposed of according as his Majesty was pleased to confer them, were not subjected to parliamentary animadversions; in like manner, when men in these offices were, by his prudence, dismissed from their respective employments, there should be no reason for subjecting his determinations or royal resolutions to parliamentary discussion.

The Duke of *Grafton* spoke very ingeniously upon the point, and incensed by the indignity which every noble Lord present suffered himself to be brought to, by their inattention

to prevent the many inconveniences which were the evident consequences of corrupt influence; and the present instance convinced him of the necessity of their spirited exertions to prevent the effects of the influence which individuals privately exercised to the prejudice of the nation; and whereas no public reason was assigned for the removal of the two noble Lords, from their respective offices of Lords Lieutenant, he could have no objection to a motion which was intended to remove the groundless suspicions of the public, and detect the malignant spirit of the private detractor and adviser.

The Duke of *Devonshire*, for the first time, spoke with such composure and elegance, that the whole House seemed to be in the most profound silence. My Lords, says he, though I have been hitherto silent relative to political affairs, which indeed were not very agreeable to my temper, yet now such is the deplorable situation of the country, that I should think myself base, degenerate, and unworthy the name and character of a man who had the interest of his country at heart, if I remained any longer indifferent; for, at the existing crisis, I am sincerely of opinion, the present ministry are not capable of retrieving the affairs of this country, for their system is by no means united; and their abilities, in my opinion, are very unequal to the task they have in hands. I approve of the county meetings, and, consequently of the associations, without which the petitions would be of no avail; and I am firmly resolved to support and encourage them so long as they shall seem legal and discreet. Not but he was free to own that such meetings and associations were liable to abuse and inconvenience, if not properly conducted. They should be accompanied with great moderation and temper, as otherwise they might be productive of greater mischiefs than those they were first set on foot to remove.

He renounced all party motives and party views. He had nothing to hope for but the peace, prosperity and welfare of his native country. He could have no temptation to encourage domestic broils or civil confusion. He had a considerable stake to lose, and could be no further a gainer than as he was interested as an Englishman, for the preservation of the constitution, and the invaluable rights, liberties, and privileges derived from it.

His Grace spoke with a firmness and facility which seldom accompanies a maiden speech in Parliament, and in a style of voice and energy, which plainly evinced the sincerity.

rity of his heart, the warmth of his sentiments, and the manly independence of his conduct.

The Duke of *Richmond* complimented the Duke of Devonshire on his speech, and called upon the ministry to advert to the declaration of the nobleman, whose ancestors were the first in supporting the present royal family upon the throne.

Earl *Bathurst* made a short reply to the Duke of *Richmond*.

The *Lord Chancellor* concluded the debate, by rising to explain—when, about eleven o'clock, the question being called for,

The contents were	31	Non-contents	66
Proxies —	8	Proxies —	26
	—		—
	39		92
	—		—

When the proxies were calling over, and the clerk came to the Duke of *Richmond*'s holding the proxy of the Duke of *Leinster*, his Grace refused giving his proxy, not that he would throw a blame upon any noble Lord who did so; but that as the Duke of *Leinster* was not present at the debate he did not know his sentiments on it. An appeal was then made to the journals, which being read, mentioned the case of Lords who held proxies to be called upon for them; but his Grace said, being optional, he had a right to refuse, which was acceded to.

Private business till March 10.

March 10.

As soon as prayers were over, a short conversation ensued on a clause in the militia bill, which passed the other House, relative to substitutes, between the Earl of *Radnor* and the Duke of *Manchester*.

The Earl of *Radnor* was of opinion, that a person balloted for, or chosen by lot, should serve in the militia for three years and no longer; and it was impossible, without totally departing from the scheme of the militia laws, to bind the substitute by any subsequent act of his own, for any longer term than his principal was bound to serve.

The Duke of *Manchester* much doubted of the practicability of carrying the noble Earl's plan into effectual execution, unless the substitutes, after concluding their first term, were permitted, without quitting the regiment or battalion, to continue to serve in the room of other persons balloted in, at the end of their first, or indeed second engagement.

After

After a few explanations on both sides, the subject not being regularly before the House, the conversation dropped.

The order of the day being then read, the Earl of *Effingham* rose and explained the object of his intended motion. He observed, that it was generally believed without doors, that great emoluments and high employments had a very strong influence on the determinations of Parliament. No man could be farther from attributing to any of the individual members of that House any improper motives for the ground of their conduct in Parliament than he, yet he believed there was no opinion more generally prevalent than that places, pensions, and employments tended to give a bias to the human mind very different to what it might take were the temptation removed. His motion pointed to no innovation whatever; it was rather an enquiry, which hereafter, in the discretion of the House, might lead to correction and regulation. It was intended to call forth before their Lordships a list of all places, pensions and employments, held by the members of that House, whether for a term of years, during pleasure, or good behaviour. It might be pushed a good way further, to reversions, &c. but as he wished to give cause to as little opposition as possible, he had avoided to frame it so as to prevent or preclude any colour or pretence that it had originated in motives of an invidious curiosity, or any thing which could be construed into a design of causing the least pain to any person such a motion could possibly reach.

The influence of the crown could hardly be denied; hopes and fears were created in the breasts of men according to their different tempers and dispositions. The influence of preferment in expectation, or the anxiousness of retaining what we already held, was an universal pervading principle, though not universally operative. The Right Reverend Bench over the way, for instance, were not affected by any fear of losing the very respectable rank and emoluments they held in the state; but still, in some minds, translations to higher dignities and greater emoluments might be not entirely overlooked. A certain part of the peerage whose seats in that House stood upon a different footing from those who enjoyed that right by inheritance, he meant the peerage of the northern part of the kingdom; those two descriptions threw a great weight into the scale of the crown. His motion, however, was framed on an idea very different, and was suggested on the opinions which generally prevailed

without doors, that the influence of the crown was enormous, and that it was necessary to set some limits to it. The other House had, by several acts, confessed the principle to be well founded. They had framed bills expressly for the purpose, and had, particularly in the instance of pensions granted by the crown during pleasure, excluded persons of that description from being either elected, or, if elected, from sitting in Parliament. He wished to preserve all possible delicacy on the subject, and to avoid every appearance of making any personal application to any one noble Lord; but certainly from some decisions in that House, which had taken place of late years, he could not help observing, that such noble Lords as stood in the situation described in the motion almost universally voted with administration upon every question; while a very considerable majority, those who were supposed to be under no such influence, voted on the other side.

He reminded their Lordships that the times were rather critical; and though they were not the representatives of the people, it was their duty to pay a proper attention and regard to their interests, their wishes, and reasonable requests. If the present motion was refused by those who commanded or led the majorities of that House, it would have a very unfavourable aspect, and would encrease those suspicions in the breasts of the people which were daily spreading and taking root. Those who held neither pension nor place would be indiscriminately mixed in the common mass; those who had, would betray, in the opinion of the people, a dread of having their situation made public, which would tend to turn suspicion into conviction, and prove that the motives of their conduct were such as they intended to conceal. On the contrary, if their Lordships should agree to the motion, it would relieve all such as enjoyed no emolument under government from even a shadow of suspicion, and go a great way in justification of such as enjoyed places and pensions; would tend to prove that they were not ashamed of them, because they were conscious that they did not in the least influence their conduct. He recommended to their Lordships to take a retrospect to past times; to consider how much it behoved them to stand high in the opinion of the public, for that opinion would be always their best and surest support. There was a period when that House had become so obnoxious to the people, as to be declared useless by the voice of the representatives of the people; and surely it was at all times *their interest to have the people believe that their Lordships*
were

were actuated by motives directed solely to the public welfare. After some further suggestions of the same kind, his Lordship moved, that there be laid before the House a list of such members of that House as enjoyed any place, pension, or employments for a term of years, for life, during pleasure, during good behaviour, or who possessed a reversion.

Lord *Stormont* rose to oppose the motion; said it implied a censure, and a most injurious one on the conduct of that House, as if the places and employments held by noble Lords gave birth to motives which influenced their votes. There was a time, it was true, when the other House voted that House useless, but he would have the noble Lord recollect what followed that vote; no less than a total overthrow of the constitution, accompanied by the murder of the Sovereign then on the throne.

The noble Lord had adduced no one precedent in support of his motion, nor was there, he believed, a single instance in the annals of Parliament of any such resolution. There was indeed, at the period alluded to by the noble Lord, a self-denying ordinance, which was a scheme to get all the moderate and real sober friends of their country out of the House, because they knew so long as such men mixed in their deliberations, they would not be able to carry their evil designs and pernicious schemes into execution.

An attempt was made in the year 1693, to exclude all pensioners from Parliament; but though the bill passed the Commons, it was lost in that House. That period was known to be favourable to every right and regulation, founded in popular principles; yet, though as great and independent a body of men as every sat together in that House, and though the bill was warmly supported and patronized by the then Earl of Mulgrave, a peer of great weight, it was thrown out.

The Duke of *Richmond* entered into a very full view of the state of the Scotch peerage, and dwelt a considerable time on their dependency on administration. He did not mean a servile or corrupt dependency, but a dependency arising from their particular situation, which, so far as it regarded their parliamentary conduct, was, in some measure, binding them by a kind of contract, to promote the views and to support the measures of the minister for the time being. It arose from the electors more than from the elected. The electors were, for the most part, dependent on the crown or administration. They directed who should be chosen. The minister's

minister's list was sent about previous to a general election, and those who lived on the bounty of the crown, were directed how to vote at the election of the sixteen peers; so that the influence of the crown on the Scotch Lords who voted in that House, arose from the tenure by which they held their seats. As long as he knew any thing of Parliament, he did not recollect an instance but one of any noble Lord from that part of the kingdom dissenting in opinion from those who had nominated him; the only exception to the general rule was the circumstance of Lord Stair, who, in the last sessions of the last Parliament, voted agreeably to his conscience on the question of the propriety of the early part of the American measures, and, as might be reasonably expected, his Lordship was left out of the minister's list at the ensuing election, and of course lost his seat in that House. He was a Scotch Peer himself, and sincerely lamented the state of the peerage of that part of the united kingdom, and hoped sincerely, that the noble Lords who enjoyed titles there, would contrive some means to emancipate themselves from the influence of the crown, which had been so shamefully exercised for a series of years by its ministers in garbling the Scotch elections.

He condemned, in very strong terms, the language held by some persons in another assembly, who maintained that the civil list revenue, in no given situation, was contrrollable by Parliament, but was the property of the King, as much as any estate was the property of the legal possessor. He understood that a species of property held by him, and a noble Duke [Grafton] underwent a long comparison, and a small degree of discussion. He understood, that an honourable gentleman proved himself a strong advocate for him. He required no voluntary advocate to protect his rights, much less a Scotch one [Lord Advocate of Scotland.] When his rights were invaded, and attacked, he knew how to defend them, whom to employ, and where to seek counsel.

His Grace concluded with testifying his hearty assent to the motion.

Lord *Fauconberg* made general declarations of his independency of fortune and independency of principle. He would never agree in opinion with those who asserted that emoluments under the crown tended to pervert the understandings, or to influence the conduct of men of honour. He enjoyed, it was true, a place in the household [lord of the bed-chamber] for which he received 700l. per annum, and the
emoluments

emoluments of his post as colonel of a new-raised regiment; yet he would fairly declare upon his honour, that he never gave a vote in that House which did not arise from a sense of duty to his Sovereign and his country.

His Lordship, in reply to what the noble Duke who spoke last said, of the doctrines maintained in another place, that he thought the language alluded to generally right, when qualified, as he understood it was, that the King had a property in the civil list revenues which could not be touched, without instances of abuse were first proved; no proof of the kind was offered, consequently no right, or pretension to right, was inherent in Parliament of controlling or regulating the expenditure of the civil list, till some charge was made, and such charge was proved; but he acknowledged, on these conditions, the civil list revenue was controulable by Parliament.

Lord *Marchmont* spoke with some degree of warmth respecting the Scotch peerage, whom he understood had been reflected upon on account of their property, and contended, that it was a proper exercise of the munificence of the crown to keep up the credit and dignity of the peerage of both kingdoms, in the persons of such individuals of it as might have, from various circumstances, come to be impoveished. This was the idea of the English legislature, who, in the case of one of the ancient family of the Veres, Earls of Oxford, when the fortune went out of it with a female, addressed the crown to make a provision for the possessor of the title suitable to his high rank.

The Duke of *Richmond* made a few observations, in answer to the noble Earl who spoke last but one, and seemed to laugh at particular declarations of independence, opposed to the general operative principle of influence. The noble Earl had a very ample fortune; his sentiments, he made no doubt, were correspondent to his situation; but what weight any particular declaration deserved, when it went to combat a general principle, needed very little argument to shew it amounted to just nothing, unless in the single instance; and however high the noble Earl and the noble Viscount who spoke early, might hold up the honour, dignity, and independency of that House, he did not think but the same restrictions that were applicable to one House of Parliament were so to the other. There were men of great fortune, and high integrity; there were Peers sons, and heirs apparent, who, in the natural course of things, were to suc-
ceed

ceed to their titles and seats in the other House, yet it was never contended that the honour and integrity of the persons composing that body ought to supersede the necessity of providing remedies against evils which might arise from influence.

The Earl of *Effingham* made a short but able reply to every material objection which had been stated against his motion, and the question being put, the House divided: contents 24, not contents, 51.—Proxies.

April 14.

As soon as prayers were over, and some private business dispatched,

The Duke of *Bolton* moved, that the bill for excluding contractors, under certain restrictions, from sitting in the House of Commons, be read a second time. His Grace said a few words in support of his motion, which was accordingly agreed to. He then moved that said bill be committed.

Lord Viscount *Stormont* rose, he said, to oppose the principle of the bill, and would consequently vote against sending it to a committee. He said he had ever been accustomed to think that imputations were not to be thrown upon bodies and descriptions of men without proof. The principle of the bill was erroneous, because it went to disfranchise a body of men, and deprive them of the most valuable object of ambition, that of representing their fellow citizens in the parliament of a free country, without any charge being adduced against them of guilt or criminality. It was a measure no less cruel than unjust; and there was no precedent to be found upon the journals, unless in the time of the Long Parliament, who excluded tax-gatherers from the Lower House. He did not wish to make the conduct of that Parliament a rule for the present day; but the exclusion of tax-gatherers was certainly a measure more justifiable than the present; for they were in general needy men, and consequently more liable to corruption. But would Parliament wish to exclude merchants of great property, merely because they happened to be engaged, fairly and openly, with government: for unless proof was brought to the contrary, their Lordships must suppose that the contracts were fair and beneficial.

He said that there could be no doubt but that their Lordships were clearly intitled to enter freely into the discussion of the present bill; for though it respected a matter of regulation which belonged more immediately to the other House, yet it having been permitted to pass, there could be no argu-

ment

ment with their Lordships to argue without investigation, to its principle. The other House, from motives of delicacy, might leave it to their Lordships to decide on the propriety of contractors retaining their seats.

He said it would be unjust to deprive men of their right without proving that they had abused it. It would be throwing a very illiberal and cruel stigma on a body of respectable men; and he hoped their Lordships would never give into the popular prejudice, that because men enjoyed places of emolument and profit under government, they were not left at liberty to act agreeable to their own consciences, but were rendered dependant on administration.

Beside all this, the bill was most ineligible with respect to its public tendency. Contracts could not be made open on many occasions. The contract for a secret expedition must be made in secret—the contract for a sudden expedition must not be made with a previous notice of twenty days. Beside, at a public bidding, a very improper man might offer to contract at the lowest price. There were other objections of great weight against such a law; for instance, a man might be secretly employed by the enemy to thwart the public service; and therefore it would be improper to run such a hazard by rendering them open. The noble Lord went into much detail to illustrate his argument, and said, that as the laws had very properly provided a punishment against the public as well as the private delinquent, Parliament ought to permit that course to be taken, and not to lay a general stigma, disgrace, and punishment, on a number of men, without having any proof before them of their guilt. They had none. The rum contract had been much spoken about: but their Lordships knew nothing of the circumstances; if there was any thing improper in it, the law would interfere, and punishment would follow conviction,

The Earl of *Coventry* defended the bill as a very necessary and proper step towards executing the wishes of the people. It was, he said, a very serious matter for their Lordships to oppose a bill which respected the independence of the House of Commons, and which had passed unanimously in that House. It might, in fact, create a quarrel between them; for it was a very delicate point for their Lordships to interfere, and defeat the evident and ardent wishes of the other House, in a matter relating to their own honour, freedom, and independence. But it was not only the unanimous wish of the House of Commons—it was the wish of the people of England, and he begged their Lordships to reflect that this was
the

the first of all the bills that had reached their House, and their decision upon it would be a test of their treatment of the whole. All the petitions of the people tended to this point; and it would produce the most alarming consequences if rejected. And he begged, before he sat down, to press this consideration home fairly to their Lordships' breasts; whether as the present bill had passed the other House, *nemine contradicente*, it would be decent, or indeed prudent for their Lordships to reject it intirely upon this principle. It would, in his opinion, be treating the representatives of the people with contempt and disrespect. He therefore most earnestly exhorted their Lordships to send the bill to a committee, and endeavour to amend and correct the objectionable parts, and not reject it in a fit of apparent passion and caprice.

The Earl of *Hillsborough* said, that the time was now come, or was in all appearance near at hand, when the consequence of the House of Lords would be fully apparent—its use, and its necessary influence in the constitution. It was their duty, when the prerogative of the crown was stretched and extended to improper bounds, to connect themselves with the people; and again when the people were warmed either by enthusiasm or error into madness, when they were mad for virtue, and were bent on reforming and amending the constitution on erroneous principles, which he conceived now to be the case, it was their duty again to check and resist that delirium of virtue, that rage and tempest of liberty, and bring them back to coolness and sobriety.

He objected to the present bill on the following grounds. Its principle, he said, was fallacious, and he wished to consider it in four principal points of view—its object, its utility, its propriety, and its justice. And as first to its object. Its object was the freedom and independence of Parliament, and diminishing the influence of the Crown. What was Parliament at the present moment—dependant and enslaved. Did the late conduct of the House of Commons give any proof of their dependance and corruption? The very circumstance of that bill's having come into that House was a proof to the contrary, its object was therefore improper, for the House of Commons was already independent, and the Crown had no apparent influence founded on corruption.

The point of utility here to be effected was that of preventing contractors from sitting in the House of Commons. The idea was absurd; the attempt was impracticable. What could be easier defeated than this preventive provision. If the

the minister meant to corrupt, was not the prohibition easily set aside? Though a member of parliament could not contract in his own name, could he not soon get a person to do it for him, and when the tenders came to be examined, would it not still be in the power of the minister, supposing him to be corrupt, to select a favourite contractor, and afterwards manage matters so as to reimburse the person who made the lowest offer? On the other hand, as he was persuaded that there were no unfair or underhand dealings between the ministers and contractors enjoying seats in the other House, in his opinion clearly there could no possible advantage be derived from a law framed upon the principle of the present bill.

As to its propriety, it was certainly improper, for it went to lay contracts open, and expose the services for which they were intended to the enemy. Twenty days notice was to be given, when perhaps the service was instantaneous; and it was to be made at a public bidding, which was a new and an unheard-of manner—improper persons would be entitled to the preference, and the public service would suffer, as well perhaps as the public treasury, by their employment. As to its justice, it was in this instance the most objectionable; because it was founded on the height of injustice: for could any thing be more so, than to stamp infamy and disgrace on men, merely because they were thought worthy to serve government.

Could their Lordships imagine that men of the first families in the country, men of the first fortune, could be so blind to the true interests of their families, could be so blind to the interest of posterity, and so dull and insensible of character, as to prefer the paltry consideration of a temporary emolument to the welfare of their country? This bill was not only directed to the hearts of their Lordships, but also to their heads. Admit the principle, that men may be worked round by interest to prefer themselves to their country, then all descriptions of men that hold places under government would be equally ineligible. And would their Lordships say, or could they suppose, that any man, possessed of large landed property, could be so ignorant and silly, so base and mercenary, as to be seduced by the sum of two or three thousand pounds a year, to abandon the interests of his country, and give up his judgment and his feelings, to be guided by a minister? It was ridiculous and inconsistent to fancy that such weakness and absurdity could exist in the breast of
any

any man. It was immaterial to him, whether contractors in general voted with the administration or the opposition. There was no prejudice could arise in his mind on that account, nor could any imputation be thrown upon them. Men who voted uniformly against the administration, because they had not places, might be said to vote as corruptly as those who had voted constantly for them, because they had places. The argument was equally just, and the imputation equally illiberal, on both sides. Proof must always be produced of corruption, before it can be just to censure or condemn; and in the present instance, without any evidence before them, their Lordships could not accept of the present bill. His Lordship commented upon the bill, and contended that it was totally inadequate to the obtaining the objects it was avowedly framed to reach. It was loose, indefinite, and in some measure incongruous, because it unbound the hands of the government in one instance, while it restrained them in another. All contracts were to be made at a public bidding, and yet the bill vested a discretionary power in the minister to dispense with this rule upon particular occasions. He had always observed, that restrictions on the passions and vices of mankind, instead of diminishing, increased them. It was impossible to rein them in, and that it was so, appeared from the many and innumerable restraints that had been laid on the vice of gaming—a vice that had contributed more to corruption than all the others put together. The acts against it were innumerable; and yet it had increased in vehemence and impetuosity, in proportion to the resistance it had received, and had convinced him that it was as impossible to bridle the vices and the passions of mankind by regulation, as it was by hedging in the ocean to prevent its turbulence.

His Lordship concluded with observing, that the present times unfortunately exhibited nothing but an innovating spirit of alteration and ideal perfection, internal commotion, causeless discontents, turbulence and dissension. The people were run mad about public virtue; this, therefore, was the moment in which it was their Lordships' special duty to interfere, and check the encroachments of the people, upon the just, acknowledged and constitutional prerogatives of the Crown; and asserted that so far from being true, that the present bill was a measure consonant to the voice of the people, as expressed in their petitions; that it was at once a mockery of these petitions, and a direct insult put upon the prayers and understandings of the petitioners.

The

The Duke of *Grafton* answered the arguments thrown out by the noble Lord in office with great ability, and defended the principle of the bill, as well as its propriety, at the present moment. The bill had passed the other House with unanimity, whose privileges it would particularly effect. What would be the consequence of rejecting it? perhaps a rupture between the two Houses; and as the purpose of the bill was to exclude a certain description of men, the House of Commons would perhaps act as they had done on a former occasion, and exclude them by their own resolution. He meant on the affair of the Middlesex election.

He would not take upon him to say how justly they had acted: he would only say, he remembered upon that occasion a very great authority [Lord Mansfield] took upon him to say, "that there was no appeal from the decision of the House, and that no other branch of the legislature could check or alter the resolution." So that right or wrong, their decision would be final. But he was indeed surprised, after what he had heard in the course of the present session, to see the conduct of this day. When a motion of œconomy, on a former day, had been introduced by a noble peer, it was objected to, because the House of Commons might be offended at the House of Lords taking up a duty that belonged to them. Now when a bill was sent up from that House, which originated there, and which passed unanimously, the same noble Lord [Lord Hillsborough] objected to its being received. He warned their Lordships of the danger of rejecting the present bill in the alarming situation of the country. It was impossible to say to what lengths the resentments of the people might not proceed.

He took notice of the assertion, that there was no proof. This, he said, had been the standing argument for the last two years, and had been used upon every occasion; though the matter before their Lordships might be of universal notoriety, yet still proof was required. The evidence of personal feeling and conviction was not sufficient, and yet when evidence was at their Lordship's bar, the fact was very different. When Governor Penn gave evidence at the bar, noble Lords, many of whom he had then in his eye, [Lords Mansfield, Bathurst, Sandwich, Denbigh, and Dartmouth] contended that the House was not to be misled by evidence *ex parte*, though, as had been foretold at the time, the nation was hurried into the fatal conflict that brought us to what we are. In answer to what had been said against making contracts open, he said that this bill did not go to make all contracts open.

His Grace trusted, he said, that their Lordships had much too deep and lively a sense of what they owed to their own dignity, to consent to become the engine of the minister on the present occasion; and to do for him what in another place he dared not attempt to do himself. The people of England had petitioned the House of Commons; complained of the increased influence of the crown; and recommended œconomy in the expenditure of the public money. The House of Commons had voted that the influence of the crown had increased, and that it ought to be diminished. The House of Commons had also voted that it was their duty to comply with the petitions of the people, and provide an immediate and effectual redress. The present bill had passed the House of Commons unanimously, and it behoved their Lordships, unless they meant to lay the foundation of perhaps a fatal misunderstanding, and create an incurable difference between both Houses, to pass the bill into a law.

His Grace then went into a very full and detailed view of contracts, and their operations and effects upon persons enjoying them who had seats in the other House, applying in direct and pointed terms the shameful, and, he feared, corrupt manner that great national trust was carried on and discharged at present, by which contractors were put in possession of enormous sums belonging to the public, and the national purse emptied, in order to secure the dead votes of a few unprincipled, avaricious, and, he might add, voracious and insatiable individuals. His Grace concluded with affirming, that when he had the honour to preside at the treasury board, contracts were made in a very different manner, and at infinitely less expence.

The Lord President of the Council, Earl *Bathurst*, opposed the bill, and enforced the arguments of the two Secretaries of State, adding to them some others. He endeavoured to shew that men of the strictest honour might, without the least imputation on their integrity, contract with government, and thence inferred that the present bill tended to throw a slur upon all who should in future do that which was extremely honourable and fair in itself. If the influence of the crown did exist to the extent that had been started, the present bill would by no means have any effect towards diminishing it, because if the contracts were taken away, as the bill enacted, from members of parliament, they might nevertheless be given to the relations or friends of members, so that the same degree of influence would be exerted, and in a

more

He particularly adverted to the contracts which had been mentioned, the gold contract, and stated it to be both iniquitous and useless. The profits of it were immense, and the possessor of it had not only the exchange in his own hands, and regulated the rate on all remittances to and from America, but sent out the guineas of Britain instead of the gold of Portugal, and by that means defeated the very object of the contract, and all the expence of the coinage was lost to the country.

He spoke also with great detestation of the infamous plan which had been contrived to create a monopoly of the corn in Canada, and with many just and able arguments urged the necessity of agreeing to the present bill, as a test of what should be done to execute the wishes of the people. He spoke of the increasing influence of the crown, and said, that there were very prudent and wise reasons for permitting the officers of the navy and army to sit in Parliament.

He said, he did not blame any man for trying to get the most from government for his contracts. He had a right to do the best for himself, and the more he got, the better he discharged his duty to his family. It was the minister he blamed for making unwise contracts, not those with whom they were made. Contracts were indisputably a great temptation, and therefore he wished to put them out of the way of members of Parliament. For notwithstanding the declaration of the noble Lord in the green ribbon [Lord Stormont] that men of honour were superior to all influence from contracts, human nature spoke a different language. Men situated and circumstanced in a certain manner could not resist the temptation.

While the argument stood thus, and that it did stand thus, his Lordship said, common sense and daily experience proved, could it be expected, that members of Parliament had virtue enough to resist such a temptation; or that, having contracts, they were so deficient in gratitude as to derive great emoluments from their connection with the minister, and not to vote for his measures; if they were so extraordinarily firm, and could reconcile such conduct to their consciences, did any one Lord that heard him, imagine the minister would suffer it, and let a future contract be given inimical to his interest? Besides, consider for a moment the immense profits to be gained by a single contract. Twenty, thirty, fifty, one hundred thousand pounds! ay, that sum doubled, and even trebled! Let noble Lords recollect the present contract for

ference between the two Houses, if their Lordships should reject it.

Earl of *Shelburne* complimented the noble Lords who sat on the side of the House on which he stood, for having so ably defended a bill which was attempted in the most unjust manner to be thrown out. He said the increased influence of the crown was notorious. It was to be seen every where. Did not every man know to what an immense degree the army and navy were encreased? From them alone sprung one great opportunity of its encrease. It had been contended that their Lordships ought not to be jealous of it; luckily he had no occasion to consult his private reading, or his private expenditure, to prove to their Lordships that they ought to be jealous of it; the constitution itself suggested it as the duty of both Houses of Parliament to be at all times jealous of the powers of the crown, to watch them with the utmost care and attention, and to guard against their encroaching on the rights and liberties of the people. The bill then under their consideration was a mild measure, it was not for that reason surely objectionable. It tended to check the influence of the crown in a small particular, but every thing must have a beginning, and the bill before them was directly grounded upon the petitions and fell within the meaning of both their objects, a wish to have the influence of the crown reduced, and a recommendation of œconomy. Did their Lordships consider what a mine of corruption government contracts were? Did they reflect in how many ways they contributed to extend the influence of the crown, and to waste the public treasure? Let them look a little at the picture of a contractor. View him going down into the country, disturbing and interfering with gentlemen in the boroughs with which they had been long acquainted, and which they had long represented; see him introducing all manner of vice, extravagance, and folly, to persuade the boroughs to return him to Parliament; mark his success, the injury done to the private gentleman, who no longer represents those with whom he has lived on the most intimate terms of connexion and friendship; and see him sent up by the deluded borough to Parliament. Trace the contractor still further; What does he do when he first gets into the House? He calls for papers, he complains of the want of œconomy, of the lavish mode of making contracts, and declares how much cheaper the public business might be done! He teizes, he perplexes, he worries the minister, who at last buys him off at any price. View him then

then making his contract with an ignorant and indolent minister. See how cunningly he advantages himself of the minister's great love of ease, of his great want of knowledge. He makes a contract for rum, and by and by it comes out that the minister did not know the difference between currency and sterling. The public are defrauded to a vast amount; and the contractor wallows in wealth. The end of a parliament approaches, and he determines to push his advantage. He sees the minister hard run, and he goes to him again, and demands a fresh contract. The minister, sore with having been severely attacked the night before, tells him he will make no new contract with him, how much he has been abused on his account, that his life is rendered intolerable, that he cannot endure it. He goes away, but returns at a fit opportunity; the minister determines to be more cautious, and to regulate the matter with him. He proposes lower terms. The artful contractor affects to give way with reluctance, he meets the minister's terms. The minister ties him down to take the victualling office price, (alluding to Lord North's rum contract with Mr. Atkinson) the bargain is struck and the contract signed. It turns out a second bubble. The minister was not aware that the victualling-office price was not a contract for rum merely, but for a variety of articles together, and then the minister tells Parliament he was not bound to know that the victualling office contract was a mixed contract. What are all contracts as they are now managed? A wine merchant [Mr. Alderman Harley] contracts to send cloathing to the army; he contracts to send Portugal coin to America; he tells you himself that he does not send Portugal gold but British guineas, and that the title of his contract, as specified by an official account to Parliament, is not a right description of it. Perhaps this may be termed a libel. Gentlemen had now imbibed new notions of parliamentary language, and were ready to take offence at what carried no offence in it. He, however, would not be deterred from giving his sentiments on public topics freely in that House. He was no libeller, no more inclined to be a libeller than Messrs. Harley and Drummond. But to return to the description of contracts. The chairman and deputy chairman of the East India Company had contracts for matters to be delivered in America, and every man who was a contractor contracted for such articles as he knew nothing about, and which he was almost unfit man to contract for.

“As far back as the reign of Edward III. a fixed jealousy of the dangerous influence of the crown began to take root, and had continued to exist, growing or diminishing, according to time, circumstance, and occasion. But lately, that is since the revolution, it had been manifest in many instances, and Parliament had not been so nice in their feelings, so careful of giving offence, and so extremely fearful of stigmatizing the characters of public men, as they are now-a-days. The commissioners of the customs and excise had been excluded from sitting in Parliament, and was that considered as a reproach upon them? Undoubtedly not. It was considered as a very proper and necessary regulation, and when they accepted of the offices, they knew the condition, and acquiesced in it.

The argument which the noble Lord had urged would answer for every future bill that might be introduced, to answer the purpose of which this was only a beginning; for if men were supposed to be above the temptations of emolument and above corruption; if men's minds, as their Lordships said, could not be influenced by interested motives, then all the bills that were likely to come before them would be excluded on the same ground.

A noble Earl [Lord Hillsborough] said, that men would argue with themselves—“What, shall I be base enough for the paltry consideration of a little dirty emolument, to give up the interest of my country for my own! shall I be so careless of my character, so indolent of posterity, so blind to my true and permanent interest, as to give up the use of my judgment, to give up my honesty, my freedom, and my independence, for the poor insignificant compensation of a few thousands a year!”

For his own part he humbly but sincerely believed, and he did not think that he was guilty of illiberality in the opinion, that a contractor would argue in a very different manner. Would he not rather say, “What, shall I be silly enough to give up my own interest, and the interest of my family and posterity for the empty and nonsensical motives of public spirit, honour, and integrity? Shall I vote for the conclusion of the present war, when I am making my fortune by its continuance? My vote, were I so inclined, cannot do any great good. I could not gain the question for my country. Why then should I be so inattentive to myself as to overlook the present opportunity?” He conceived that this was more likely to be the soliloquy of a contractor.

He

He particularly adverted to the contracts which had been mentioned, the gold contract, and stated it to be both iniquitous and useless. The profits of it were immense, and the possessor of it had not only the exchange in his own hands, and regulated the rate on all remittances to and from America, but sent out the guineas of Britain instead of the gold of Portugal, and by that means defeated the very object of the contract, and all the expence of the coinage was lost to the country.

He spoke also with great detestation of the infamous plan which had been contrived to create a monopoly of the corn in Canada, and with many just and able arguments urged the necessity of agreeing to the present bill, as a test of what should be done to execute the wishes of the people. He spoke of the increasing influence of the crown, and said, that there were very prudent and wise reasons for permitting the officers of the navy and army to sit in Parliament.

He said, he did not blame any man for trying to get the most from government for his contracts. He had a right to do the best for himself, and the more he got, the better he discharged his duty to his family. It was the minister he blamed for making unwise contracts, not those with whom they were made. Contracts were indisputably a great temptation, and therefore he wished to put them out of the way of members of Parliament. For notwithstanding the declaration of the noble Lord in the green ribbon [Lord Stormont] that men of honour were superior to all influence from contracts, human nature spoke a different language. Men situated and circumstanced in a certain manner could not resist the temptation.

While the argument stood thus, and that it did stand thus, his Lordship said, common sense and daily experience proved, could it be expected, that members of Parliament had virtue enough to resist such a temptation; or that, having contracts, they were so deficient in gratitude as to derive great emoluments from their connection with the minister, and not to vote for his measures; if they were so extraordinarily firm, and could reconcile such conduct to their consciences, did any one Lord that heard him, imagine the minister would suffer it, and let a future contract be given inimical to his interest? Besides, consider for a moment the immense profits to be gained by a single contract. Twenty, thirty, fifty, one hundred thousand pounds! ay, that sum doubled, and even trebled! Let noble Lords recollect the present contract for

ending gold to America,—the contract fictitiously laid before the House of Commons, and contradicted as to its specification by the contractor himself in that very House! Had not the contractors, at their own motion, sunk their profits from two and a half to one and a half per cent.? If they would part with so large a portion of their commission voluntarily, and without any interference of the minister, what an immense advantage must they not derive from their contract altogether? Perhaps it might be urged that the contract, from the nature of it, must necessarily be given to men of responsibility and character. Good God, were there no merchants in the city, no monied men, no men of high reputation, who would accept of contracts, and discharge the duties of them with rigid observance, but members of Parliament? Last war the contracts were not in Parliament, and yet the army was as well served then as it is now. Add to this, the whole commission of the gold contractor might be saved, if the mode of making it with the Bank, which he had pointed out in a former speech, and on another occasion had suggested to their Lordships, were adopted! Why then was the public to pay Messrs. Harley and Drummond enormously for a service which might be done as well at no expence?

His Lordship next went into a general consideration of the political complexion of the times, which he described as alarming to the last degree; the House of Commons divided and torn to pieces by intestine disunion, neither side of the House firm in itself, or fixed to any one point whatever; without doors the people clamorous for redress of grievances, ripe for any violence, and easy to be led to such measures as would shake the kingdom to its centre, but at the same time proceeding decently, temperately, and constitutionally; applying to Parliament, and putting it upon them to do them justice, and grant them redress. Petitioning in terms of the greatest moderation, upon matters of complaint so strong in themselves, that they needed not the enforcement of powerful language; reprobating that worst of all political evils, the encreased influence of the crown, and earnestly pressing for its diminution, recommending at the same time a reform in the public expenditure, and advising œconomy. And all this, when we were engaged in a war of the most tremendous nature; a war with France and Spain, and what was still worse, a war with America! Without a navy equal to the contest; perhaps, at this moment, without an

an army; with twenty-one ships in the West Indies, against twenty-six of the enemy, and most of our ships old, and requiring repair; while theirs were all fresh, just come out of dock, and every way fit for service; without a friend to assist us, without a single ally! He had, he declared, from his wishes that it might be true, been inclined to believe the report so confidentially circulated lately, that Russia had sent us some ships, and had flattered himself that amidst the mass of neglect and error imputed to ministers, they had secured one friend in Europe; but, good God! what was the true state of the case? Russia had published a manifesto, a manifesto which he had read with the most serious concern. Did that look like the preliminary of an alliance?—just the contrary. It was hostile to every maritime power; particularly hostile to Great Britain! How melancholy the change of affairs in Europe? Russia, scarcely known to have existence as a maritime power thirty years ago, dictating laws of navigation to Great Britain! And yet Russia had been talked of as our good friend, our willing ally! That language had been held while we had been insolently affronting Holland, provoking the States General, who were, from old connexion, from situation, from past friendship, the most fit allies of this country! If Russia declared against us, (and if we did not resent the manifesto we were grown tame and poor in spirit indeed) Denmark must follow, for Denmark was at the will of Russia, and Sweden he feared was but too ready to throw herself into the arms of France, and act at her direction.

Let their Lordships reflect on this, and let them ask themselves if unanimity at home was not a matter devoutly to be wished! The present bill was a measure adopted by the House of Commons, in compliance with the petitions of the people; he was aware that he was not warranted to say it had passed the other House unanimously, because in the printed votes certain technical words were wanting to the account, in order to convince the reader that it had passed in that manner, but as there had not been a division upon it, it was fair to say it had met with the support and consent of the House of Commons. The bill was a very moderate measure in itself, though it would in effect tend essentially to check the influence of the crown in one very material instance. The other House of Parliament had solemnly resolved, that “the influence of the crown had increased, was increasing, and ought to be diminished.” In every point of view the bill merited the countenance of their Lordships: it chimed in with the resolution he had just stated, and it equally chimed in with another

another resolution of the same House, viz. "that it was the duty of the House to provide, as far as might be, an immediate and effectual redress of the grievances complained of in the petitions." Another consideration in favour of the bill was, the object of it was such as immediately concerned the Commons; whence they were alone competent to judge of its propriety, its wisdom, and its justice, and by passing the bill they had clearly decided that it was wise, just, and proper. It would therefore be in the highest degree super-rogatory and indecent in that House to reject a bill of the nature of that before them. The rejection would, in all probability, involve both Houses in a dispute, and give rise to a parliamentary dissension, which to every man who loved his country, and who wished to see it restored to its former dignity and prosperity, must necessarily be a matter extremely to be dreaded, and a matter to be avoided at any price. For these reasons he earnestly prayed their Lordships not to be misled by any idea suggested rather from the excess of politeness and superior consciousness of integrity, which distinguished the two noble Lords in office who had spoken early in the debate, than from any consideration generally tending to human conviction.

His Lordship next adverted to what he had said in a former debate, in distinction of the influence from the prerogative of the crown, declaring that he approved and respected the latter to the full as much as he disliked and dreaded the former. He was and ever had been an advocate for the open, avowed prerogative of the crown, because he regarded it as an essential part of the constitution; a matter which equally contributed to the lustre of his Majesty's government, and to the happiness, the prosperity, and the satisfaction of his subjects. The influence of the crown, on the other hand, working secretly, and extending itself almost imperceptibly, carried in it, and diffused as it went, poison of the very worst and most irremediable kind. Venom, which while it undermined the liberties of the people, sapped the foundations of the constitution, and could not fail, sooner or later, if not effectually checked and restrained, to ruin both prince and people.

His Lordship took notice of some insinuations which had been thrown out by a noble Lord [Hillsborough] early in the debate, against a person or persons who stood forth and supported the popular measures now on foot, and were presumed to have rendered their situation desperate by losses at the *gaming table*, [supposed to mean Mr. C. Fox.] It was a *misfortune which* was much to be lamented. The manners
of

of the age gave it countenance, and the effects were universally felt almost in every family. If any particular person was meant, whose talents, love of his country, public virtue, and private character, had felt the mischiefs which too often accompanied a rage for play, not only that person's intimate friends, his family, and his relations, must feel on the occasion, but the public, the people at large were interested in whatever concerned the personal situation of such a man: for, as his talents, his zeal, his firmness of mind, and his independent spirit, were all employed in their service, he became in fact so much public property, in the preservation of which every man in the nation had a common interest.

Taking the insinuation, no matter at whom pointed, nor for what purpose, he did not think the charge partook of any thing criminal, though he presumed it was not suggested by way of eulogy or personal approbation. He remembered a time, before age and experience had taught him better, when he often risked more than strict prudence would justify; he lost his money, and he felt the inconvenience: that, with several other follies, the concomitants attending an early period of life, had long since ceased to operate, and he was now free to say, that it would appear to him a most extraordinary mode of combating his opinions in that House or out of it; a very novel mode of establishing a test of his conduct as a public man; if any noble Lord should rise up in his place, and tell him that his arguments were ill founded, and his sincerity ought to be questioned, because in some one part or other of his life, he had staked more at the gaming table than he could afford to lose.

There were to be sure, persons of that perfect virtue, of that consummate prudence, of that profound wisdom, who reversed the general order of things; who were wise in their juvenile days, who were famed for wisdom, without any lessons drawn from experience, the common source of human knowledge: to such men, he, for one, bowed; they were prodigies of nature; they not only deserve to be venerated, but they were justly entitled to admiration! they were in some measure self-created beings; or, if not, were so created, as to be evidently formed by Providence, and held up by the creative power that formed them, as patterns of excellence and imitation to the rest of mankind; they were wise without experience, they were good without feeling, they were magnanimous without difficulty. Being all perfection themselves, they could not conceive how others could err. Being statesmen by intuition they were astonished that every man could not see as far as themselves; being superlatively good and virtuous

virtuous, they never made allowances for the weak and fallible part of their species. When others erred, they thought them wicked; when others disagreed in opinion with them, they were ready to impute it to folly or the worst motives. In short they were a kind of monks, who, out of the way of all possible temptation, never made any allowance for those who were not born saints as well as statesmen.

This was a picture which, he believed, bore a pretty close resemblance to the characters of some modern statesmen; but howsoever well they might be entitled to all the wisdom and virtue to which they pretended, the world notwithstanding would judge as they always had judged; they would not accept of professions, but would decide from appearances or from real actions. The world would keep a strict eye; the very claim itself would create suggestions tending to a direct contrary conclusion. Mankind would cautiously scrutinize into such supernatural pretensions, and if they perceived that the conduct of such perfect beings resembled at the best but that of those of the same rank, and in similar situations, and in the opinion of perhaps a great majority fell short of it, that they were apt to betray the same passions, gave evidence of the same human infirmities which were common to the species; mankind would be led to suspect at least that this political uncharitableness, this pretension to ministerial infallibility, like every other species of affected sanctity, and uncommon perfection, originated in hypocrisy, and was supported by imposition.

He observed, that this pharisaical language called for such a reproof as was once given by a great and sacred authority; for when such men by depreciating, condemning, and determining on the conduct of the others, in order to the purpose of self-justification, alluded to "persons who have lost their fortunes at the gaming table, and now want again to build and erect them on the ruins of the constitution." To such men who never did a wise thing, nor ever performed a single good action in the course of their whole lives, who had every vice perhaps that the worst are charged with; whose heads were made of wood, and hearts composed of steel, or some other stuff equally impenetrable and obdurate, it might well be said in the words of the great founder of our religion, "Begone, hypocrites, go and take the beam out of thine own eye, before thou pretendest to have discovered the mote in that of thy neighbour."

The Lord *Chancellor* said, he was not prepared to travel after the noble Lord who spoke last, in the wide circuit he took from Gibraltar to the West Indies, and from thence to Russia and Archangel. He was not prepared to deliver his senti-
ments

ments on the late declaration or manifesto, issued by the Empress of Russia, nor follow up the fact to all its possible consequences, of a rupture with the court of Petersburg, and a war with all the powers which might accept of the invitation to mutual defence stated in that paper, which the noble Lord had so positively pronounced to be authentic, and to lead in all probability to the events which his Lordship was pleased to predict.

Laying all these considerations out of the present question, because in his opinion they were totally irrelative and inapplicable to the subject matter of debate, he would, with the permission of the House, state his reasons to the best of his abilities, and follow the lights which led him to give a decided opinion on the bill now on their Lordships' table.

The chief argument urged by the noble Lord who spoke last, and of every other noble Lord who spoke on the same side, and indeed as it appeared to him the only argument (however weak and defective it might be) in his apprehension was this: that the bill, such as it was, was a bill passed by the other House relative to its own members and qualifying the terms on which any person should be entitled to a seat there. This argument, when fairly examined, he trusted, would appear to have nothing in it. It most certainly, if taken as a general proposition, applicable to the purposes only such as noble Lords had described it to be, was unquestionably true; the other House and that House had a right, independent of each other, of declaring the terms, and qualifying the conditions of admission into their own bodies. The proposition was therefore, in his judgment, incontrovertible, when abstractedly considered; but the conclusion drawn in the course of the present debate, as applicable to the subject matter under discussion, was replete with apparent fallacy. It had been warmly urged; was not the language which prevailed in that House some years since, in relation to a noted transaction (the Middlesex election and Mr. Wilkes's expulsion) in the other, by those who it was expected, and who already spoke against the present bill?—"We have no right to interfere in what the other House may have thought fit to declare to amount to a disability, or disqualification of any of its own members."—He did not undertake to say what the arguments used in that House on that occasion might have been; but he was prepared now to declare his own opinion at the time, which no change of circumstances had since induced him to alter or relinquish. Nor did it become their
Lordships'

Lordships' gravity, as far as he was able to form an opinion, to suppose, that they were to be bound by or assent to every proposition which might be agreed to by the House of Commons implicitly, and without examination or discussion. The noble Lords who supported the present bill went that length, else every argument urged by them went for just nothing; for the right of enquiry, deliberation, examination and discussion, he presumed, signified very little, unless the power and right of determination were annexed to it.

The distinction between the cases he had just alluded to was this, in his apprehension: The other House had a right to set out the measure or qualification, respecting its own members. The measure was framed, and was conformable to its own usages and customs; and when any new case arose, neither House was bound by any other rule than discretion. He meant a fair, direct, legal and just discretion, applying the general law of Parliament to the particular case before those who were called upon to determine. This, he presumed, was sound parliamentary doctrine, and was as demonstratively true at the instant he was speaking, as ten years since, or at any former period of the constitution. He would not undertake to say, that that was the exact ground which had been taken in the arguments urged against introducing a bill into that House, respecting the case of the Middlesex election; but this he would say, as a member of that House, if such bill had come under his consideration, he would have thought it extremely improper and dangerous in its nature; and thinking it so, would have deemed it his duty to express his hearty dissent, as improperly interfering in the exercise of the exclusive and peculiar privileges of the other House, and restraining its power over its own members.

But taking the argument either way; allowing that it would or would not be fit or prudent for that House to pass a bill of the nature now described, how did the general proposition apply in the present instance? In no respect whatever. Here was a bill which did not in the least relate to the qualification of a seat in the other House, but came before their Lordships in the shape of a proposed law, and for what purpose? To introduce an alteration in the constitution; to diminish the presumed influence of the crown; to prevent corruption, and promote public œconomy. These were the professed and ostensible objects of the bill; not that in his opinion such an innovation was necessary, nor was the existence of the causes on which the bill proceeded even attempted

tempted to be proved ; but more of that hereafter. He was now barely stating his reasons in support of the competency, or rather the duty of that House, to determine the present measure on its own intrinsic merits, free from any idea of acting upon motives of necessity, and being compelled, as it were, to adopt the present bill, because it passed the other House. The argument then, so shaped as it was, amounted to this, and no more : You cannot reject the present bill, because it relates to setting out certain qualifications of the other House respecting its own members ; but though that had not been the case previous to your own recent opinions and resolutions respecting the Middlesex election, you are tied down by arguments and reasons used and resorted to on that occasion, in which this doctrine was maintained in its fullest extent.

Was that the case here ? By no means. There was not a sentence contained in the bill which did not afford the most full and complete evidence of the contrary. The bill in the first place presumed an existing corrupt influence, and directed the executive power in the exercise of one of the greatest, if not the greatest, one of the most important powers vested in the crown, that of making war ; it went to restrain the ministers of the crown in that very important point, the providing shipping, stores, provisions, &c. in time of war as well as peace, consequently the measure was not a measure of interior regulation, confined to the members of the other House, and the exercise of its peculiar privileges. It was a clear measure of state, which that House was competent to judge of, without being bound by any opinion which might have prevailed in the other. It concerned the nation at large ; it was a matter of public interest and public concern. Their Lordships were bound to consider it as such, and solely as such ; and the measure so brought forward must stand or fall by its own merits. As one of the branches of the legislature vested with the power of consenting or assenting to laws which related to the whole community, their Lordships would forget the duty they owed to themselves, the regard they owed to the public, the protection which was due by them to every thing that related to the preservation of that community, in the welfare and prosperity of which they possessed so large a stake, if they should be prevailed upon by any improper ideas of respect for the other House to adopt the present measure.

This

This point being clearly established, in his opinion, it let their Lordships fairly into the consideration of the bill, as it presented itself in the shape of a question of state.

It was said, though he could not well learn upon what authority, that the present bill had passed the other House unanimously ; that it met with no opposition ; and that, besides, it was founded in the wishes of the people without doors, and corresponded particularly with the sentiments of the petitioners.

All this might be very true, and was worth just so much as it would pass for in their Lordships' estimation. As to the first recommendation, it might be well founded. He was little acquainted with any thing which it was not his duty to know ; and he hoped that those noble Lords, who laid particular stress upon this circumstance, would excuse him, if he could not go with them as far as they appeared to wish. For he was always taught to understand, that there were certain technical marks which accompanied bills that had received the unanimous approbation of either House of Parliament, authenticating the fact. (*Nem. contradicente* in one House, *nem. dissente* in the other.) No such authentication had accompanied the present bill ; consequently he should take it as having passed in the ordinary way, in which an opposition had been made, but no division in consequence taken place.

The wishes of the people, and of the petitioners, might have great weight, and, for ought he knew, very proper weight with their representatives ; but if any thing was meant to be taken on this ground, it went to preclude all discussion in that House ; for with all the industry he was master of, he could perceive no middle line that could be struck out or followed. You must adopt this bill because it passed the other House unanimously ; and you are the more bound to do so, because this bill passed the other House in compliance with the wishes of the people ; or you must form your judgment upon the bill itself. For his part, he was not prepared to adopt the reasons thus urged. He must consequently embrace the other part of the alternative, that of dividing on the measure itself, and not upon the opinions or wishes of others.

The bill, it was warmly maintained, stood supported by the facts stated in the petitions, the reality of which had been declared by certain resolutions come to in the other House. The first was, " that the influence of the crown had
increased,

encreased, was encreasing, and ought to be diminished." He did not mean to debate the truth or fallacy of this proposition, in reference to the majority who voted that resolution. They were competent to resolve it; they had resolved it; and in that view he had no observation to make; but when this abstract proposition was stated in argument in that House, not only to have been sufficient ground for the determination of the other House but of this; he hoped it would not be deemed totally foreign to the subject to shortly deliver his own sentiments as a member of another branch of the legislature.

The influence of the crown, say the petitioners, and after them their representatives, is encreased, &c. Has any proof been given, or offered, in the other House, that the fact so stated exists? Not one. If not, then, what does this declaration amount to? No more than that it is the opinion of the other House, and of a considerable number of their constituents, that the fact so stated is true.

Has any proof been offered in this House? Not a tittle. Has any communication been made by the other House to this, of the reasons which induced them to come to the resolution alluded to, in order to supply the deficiency of evidence, which their Lordships were, in questions of consequence, entitled to have, either in that manner or at the bar? Nothing like it; consequently, whether in reference to the sense of the petitions, the resolution come to by the other House, and the medium and degree of proof necessary to convince the understandings, and satisfy the consciences of their Lordships, there was not a single impediment in the way, to prevent them from entering into the consideration of the bill, of examining and discussing all its parts, and of coming to a final decision on its merits, no more than if the bill had taken its rise in that House *ab origine*.

Such being the true state of the question, and, as far as he could learn, the history of the bill itself, it became his duty, as a member of that House, to consider the bill on the merits, and the merits only, and the true ground both in fact and argument, on which the bill rested.

It was said, in the first place, that persons, members of the other House, enjoying contracts, were under the influence of the crown, and of course voted for the measures proposed by the minister, no matter whether right or wrong. Of this, however, he could say, there was no proof, nor pretence of proof; but he would meet it in argument, as a probable suggestion,

suggestion, for it could be considered no more than as a suggestion. Their Lordships then, before they could assent to the proposition, must supply the want of proof by the following string of suppositions. First, that every contractor is corrupt as soon as he becomes one; secondly, that every eminent merchant, no matter how high or respectable his character may be, or eminent for integrity, when he seeks a contract, or is prepared to enter into one, is previously corrupt. Their Lordships must commit this violence on their feelings, put this force on their understandings, before they could acknowledge or accede to the very fundamental proposition on which the present bill hinges. That was a proposition which he trusted very few would acknowledge, because it presupposed an innate, active spirit of corruption to prevail in the breast of every man who contracted with government. It went further, for it went this length likewise, that those who in every other point of view were considered as one of the most useful and respectable description or class of men in this country, were not only corrupt in their nature, ready to be corrupted, but all those whom the King and the nation had entrusted with the conduct of public affairs were as ready to corrupt as the others were to be corrupted: and to the enormity of the crime itself, their Lordships, before they assented to the passing of the present bill, must be further prepared to conclude, that ministers were ready to add a breach of trust of the highest nature, the most mischievous in its consequences, and every way the most destructive of the prosperity and welfare of that state, which, from their stations, they were appointed to guard and protect.

His Lordship then made a very long digression to prove, that it was impossible in the nature of things that any contractor could be corrupted, or if he was willing to be corrupted, that any minister could be found wicked enough to corrupt him.

He said, some particulars had been adverted to respecting contracts entered into by the noble Lord in the other House who presides at the head of the treasury. He was bound to observe, that no proof of the facts stated in argument had been adduced; of course, as an inducement for their Lordships to pass the present bill, they availed nothing. Their Lordships could take no notice of such assertions; they were capable of proof, or they were not; if they could be proved, why was not evidence given? If they could not be proved, it was idle and absurd to talk of them.

But

But supposing that the case was really as it had been represented, surely their Lordships' gravity and wisdom would not permit them to pass such a law as the present on the ground of an abuse in one of the departments of government, in a particular instance, or even in many instances. It would besides be an act of pre-judgment of a matter still depending; a matter upon which, perhaps, both in their inquisitorial and judicial power they might be called upon to decide. On the other hand, the remedy proposed was a general one, of constant, fixed, and extensive operation; not pointed to this or that particular abuse, but a general pretended reform, in no wise supported by fact, reason, or sound policy.

Consider the matter again, in respect of actual inconvenience; how pregnant with evil would the present measure, if adopted, prove? and still more so, how full of injustice? Here is a man, suppose any man, without descending to particulars, of considerable fortune, and engaged in great mercantile concerns; this man happens likewise to be a member of the other House, and of course is in a situation of a distinguished nature, because he is presumed to be acting for the good of his country; and a sound presumption, till the contrary be proved. But what says this bill, but that the man who from his situation, fortune, and public services, is entitled to the respect and esteem of his fellow subjects, must be singled out from the rest of the community as a public delinquent, or, what substantially amounts to the same thing, be excluded from deriving from an honest and fair pursuit and exercise of his profession, those emoluments every person in the kingdom is entitled to, who does not stand in the same predicament with himself! Such is the absurd idea the bill proceeds on, that the person thus engaged in the active service of his country, is forbid the advantages which, if not engaged in that service, he might partake of in common with others.

But if the bill be unjust and impracticable, what is the benefit to be derived to the state? None at all. The object of economy is abandoned in the instant it is declared to be the only one; for it does not pretend to put an end to corrupt contracts, because they may continue to be made as formerly, but only to prevent the supposed influence arising from it in the other House: and if the contracts are put up to public bidding, the mischiefs are many which this mode of contracting will be liable to; for though securities may be given, those who imagine that the performance of contracts

is easily enforced, know very little of the means which must be resorted to, and still less of the numerous inconveniencies and mischiefs which may arise to the state in consequence of non-performance.

The noble Lord who spoke last insisted greatly on the influence of the crown, to prove which he mentioned the great encrease of the army and the navy. It was fair to presume, as a mere question of speculation, that an encreased expenditure of public money, and the consequent power of granting more favours, would add to the influence of the crown, particularly in the army and navy : but however plausible this speculation appeared, the fact, he believed, either as generally or particularly applied, would be found to be the very reverse. It would be acknowledged, and it was a fact, he believed, known to every noble Lord who heard him, that the influence of the crown, as applied to the support of ministers and their measures, was considerably more operative before, or at the eve of the commencement of the war, than since; and he presumed, that on account of many recent circumstances, arising from differences of opinion in both Houses of Parliament, it would be confessed, that the influence of the crown had very little effect upon the individuals of the two military professions, the officers of the navy and army, in the votes they gave. From these well known and undisputed facts, he was, he presumed, at liberty to conclude, however strong the current of popular prejudice, error, specious, speculative arguments might weigh with some persons, that the encrease of the naval and military establishments, which had, though the presumed evil really existed, become unavoidably necessary, by no means threatened to endanger the liberties of the country.

He confessed he heard, with no small degree of astonishment, two matters urged in a strain of peculiar confidence, and by the manner they were brought forward, and the presumed value stamped upon them, which were represented to be unanswerable : first that the petitions presented to the other House were the petitions of the people of England, properly so called; consequently, they being the petitions of the people, that they must operate upon the different branches of the legislature, so as to produce a perfect, prompt, implicit, and unconditional acquiescence, to whatever the people sought or wished, no matter how absurd or pernicious in its consequences.

In the first place, he was yet to be satisfied, that the petitions, styled the petitions of the people of England, were in fact
the

the petitions of a fair, unequivocal, and undecided majority of the people, otherwise they amounted to just nothing.

The next point, allowing this to be the fact, would it be proper for their Lordships, who were the guardians of their own separate rights, as well as of the constitution and the nation at large, to comply with the wishes of the people, however mistaken or absurd; and though their Lordships' own particular rights, and every other essential consequence derivative to the other two branches of the legislature, and the safety and well being of the commonwealth, should be involved in the request, and whatever might follow. He begged their Lordships to pay particular attention to the state of the case, as it really stood; for it was not the petitions of the people that were the great objects, but the cutting up by the roots all free deliberation and enquiry; for if associations and committees were to compel one branch of the legislature, and terrify the other, to comply with their desires, the freedom of parliament was at an end, indeed parliament itself was annihilated. In this point of view he thought it behoved their Lordships to be very cautious how they gave way to any one innovation, unless it manifestly tended to the public good; because if a notion went forth that such a measure, though not really necessary, being in itself trifling or of little consequence, was merely assented to, to quiet the minds of the people, that fatal precedent once established, their Lordships in the very first concession, would be no longer free agents; and he submitted to their serious consideration how probable and easy the transition might be from light or trifling requests to others of the greatest consequence, full of importance because full of danger.

If the influence had prevailed to the degree complained of, which for his part he could not believe, it required deep and mature consideration to endeavour to adopt measures which might prove the best calculated to effect its diminution. To alter the constitution would certainly be the last thing a prudent citizen or sound patriot would think of hazarding. A writer [Mr. Burke] on the subject of the popular discontents, whose opinions he much respected for their solid wisdom and deep observation, and who, in the work alluded to, had given so many proofs of eminent ability and sound political research, accompanied with mature judgment, very fully stated the causes of what were said, at the time he wrote, to be the prevailing discontents of the people. With a spirit which clearly marked his thorough knowledge of the subject, and his competency to enquire into its origin, he set off with

gravely remarking, "That to complain of the age we live in, to murmur at the present possessors of power, to lament the past, to conceive extravagant hopes of the future, are the common dispositions of mankind." Indeed the most of the conclusions drawn by him from the various premises laid down in the work alluded to, tended to shew an alteration in the constitution, especially in the leading reforms and innovations, by certain descriptions of men, viz. that of shortening the duration of parliament, and for limiting and restraining the qualifications of those who were to be eligible to be sent as members of the other House by their constituents, either by place bills, bills of exclusion, and disqualification, &c. The arguments of the writer, whose abilities no man offered to call in question, he confessed made a very suitable impression, and brought home clear conviction to his own mind; upon points he would fairly say he had long before been pre-disposed to consider in exactly the same light.

From the general consideration of the bill as a measure of state, he craved their Lordships' indulgence while he descended to make a few observations, to be sure of less consequence, but nevertheless worthy of their Lordships' attention.

It had been urged by several noble Lords who spoke to-day, as well as upon former occasions, that contractors sitting in parliament were under the undue influence of the crown or its ministers; indeed it was the only colour of argument urged in support of the bill upon the table; but in his opinion nothing had been offered but general loose assertions, which, in the shape they were brought forward, hardly deserved an answer. Rum and some other contracts had been mentioned; but in his opinion that House on such an occasion was not the proper place to discuss such matters. The constitution and the laws had wisely provided a remedy; and a better not more convincing proof that those loose assertions were not founded; need not be adduced, than that the only proper mode of ascertaining the facts, and, in consequence of that, of punishing the offender or supposed offenders, was abandoned; and the charges repeatedly made in a place in which it was impossible for the party accused to defend himself and prove his innocence. One gentleman in particular, a member of the other House [Mr. Alderman Harley] on whom the noble Earl who spoke last, thought proper to indulge himself in a strain of strong animadversion, and whose contract the noble Earl had reprobated as an improvident one to the public, an unwise one on the part of the minister, and inordinately lucrative on that of the contractor, he knew per-

fectly well and he was free from his full conviction to declare, that no merchant had pursued a fairer line of conduct, not one of their Lordships was more proud in honour, nor did any man stand more firmly on the rock of integrity.

His Lordship entered now into a kind of controversy, replying to several of the arguments made use of by the noble Lords who spoke in favour of the bill. He particularly adverted to a question put to their Lordships early in the debate. Would they become the engine of the minister, and do for him in that House what he dare not, or was ashamed to attempt himself in the other? This was merely a figure of speech, or rhetorical flourish, which he was not at present prepared or willing to combat in the same style. The great point, in his apprehension, was this, and this only: was the measure itself a wise or proper one? if it was not, this made-up speech imported nothing, and he trusted would not weigh a feather with their Lordships. That House was placed as a barrier between the other two branches of the legislature. It was a station of great trust, whether personally affecting their Lordships' own immediate rights and interests, or those of the community at large; and he believed the language the constitution held was this, that their Lordships were bound in duty, whenever it became necessary, to restrain every attempt of either of the branches of the legislature from encroaching on the rights and privileges of the other, no less than to preserve their own inviolate. His Lordship concluded a very long speech with declaring his negative to the sending the bill to the committee.

Lord *Camden*, as soon as he rose, observed, that he was not much edified with the long speech he had just heard. His noble and learned friend on the woolsack had said a great deal about the bill, but in his opinion very little to the purpose. He always heard the learned Lord with pleasure when his attention was directed to the question, and the general subject matter to which it related; but upon other occasions, when his Lordship meant to defeat a question, by means very different from those, which he was willing to avow, his noble friend would, he trusted, excuse him, if he laid very little stress upon arguments foreign to the subject, howsoever ably or eloquently urged. And he was the more inclined to speak out upon the present occasion, as he heard the learned Lord very freely condemn the imputed conduct of his noble friend near him [Lord *Shelburne*] for deviating from the subject. It was true the learned Lord had not travelled to Russia, Sweden, or Gibraltar; to New York or Georgia; to Ja-

maica or the West Indies ; but as to the essential or main points truly and fairly in debate, he had shaped his course much wider of the subject. His Lordship had said a vast deal about alterations in the constitution, about barriers between the two branches of the legislature, the prerogative of the crown, the dignity of the peerage, the balance of the constitution, &c. all which had as little connexion, nay, infinitely less affinity to the question, as the matter was argued, than the neutrality forming in the north for the protection of a free navigation, and the presumed congress said to be intended to be opened at the Hague, by the ministers of the northern crowns, in conjunction with some of the other powers of Europe.

His Lordship, after animadverting, with a mixture of irony and ridicule for some time, on that part of the noble and learned Lord's speech, said, his learned friend had maintained his opposition to the bill, in contradiction to the clearest and most universally acknowledged principles of the constitution ; indeed to every rule of common sense and common experience, and to the whole system of parliamentary jurisprudence. He protested he could not hear his learned friend, but with very great astonishment, doubt of the existence not only of the influence of the crown, but its monstrously increased influence in parliament. He meant, for the preservation of order, the influence of the crown in the other House. He would ask his learned friend this question : Was such an influence supposed to exist at any former period ? If it was, had it been reduced ?—By no means. The noble and learned Lord tells you, that every law enacted for a century past, which had the reduction of the influence of the crown for its object, was idle, nugatory, and inefficacious. He was indeed ashamed to waste their Lordships' time, or insult or trifle with their good sense, with even stating a single doubt relative to the question ; because, if influence did not exist now, it never existed ; the presumed means of influence having, within the last fifty years, nearly doubled ; consequently every single law passed for restraining the influence of the crown in parliament, from a year or two after the Revolution to the instant he was speaking, was conceived in folly, was replete with political and personal injustice, and tended to no one end whatever but to swell our statute books, and to administer a cause of eternal litigations. What was the place bill ; the pension bill ; and that for excluding the officers of excise and customs from seats in the other House ? In short, the whole code of parliamentary regulation, but so many monuments

numents of the folly and injustice of our forefathers ; of their folly, if those laws were from their nature not practicable, or fit to be carried into execution ; of their injustice if the noble and learned Lord's arguments were maintainable, that no member of either House should be supposed corrupt till proof were made, (he presumed his Lordship meant Westminster-hall proof) of his corruption. In short the conclusions fairly deducible from the learned Lord's general positions were clearly neither more nor less than this, that those several restraining, qualifying and excluding laws, were merely the idle suggestions of visionary and ill informed men. Before he took a final leave of this part of his noble and learned friend's arguments, he could not help making one additional observation. The learned Lord had set his face, in very strong language, against innovations in general, pointing out their danger, and encouraging, or rather rallying their Lordships, to the post of danger, and to a vigilant and vigorous discharge of their duty, namely, the standing between the two other branches of the legislator, and preserving the constitution in a natural and exact equipoise ; and then his Lordship applies the general principle to the bill now on the table. He wished that the noble and learned Lord would attend to the particular application of his general premises, and see how that corresponded with his main argument, which was, that all the other laws of the same nature and tendency passed since the revolution were little more than so much waste paper. It might be fairly inferred, from the learned Lord's great abilities, and his eagerness to prove, the folly, as well as injustice of restraining laws in general, that he would not have omitted the mischiefs which those laws produced. If not then, it was clear that all the imaginary fears and dangers conjured up by the learned Lord against the present bill, for he supposed there was no other before the House, could not be understood to properly apply to it ; consequently however proper it might be to point out the dangers and mischiefs relative to other intended innovations, which the learned Lord predicted ; they could have no weight whatever in the discussion of the present bill.

He meant before he proceeded to speak to other parts of the bill, to endeavour to meet the principal objections stated against it in another point of view. He would indeed grant them one by one, for argument's sake. He would say as many of their Lordships had said, that merchants in general were a very useful and respectable body of men, as much, or more so, than any other in the state. He would grant that no man

sought a contract from corrupt motives. He was ready to say, with the warmest of the minister's friends, or indeed any former or future minister, that he or they did, do, or would revolt at the idea of entering into a corrupt contract, with any prospect of obtaining, or hoping to obtain the corrupt vote of the contractor, in support of his measures, and in the maintenance of his power, contrary, perhaps in many instances, to both the wishes of the Sovereign who confided in him, and of the people, to whom he was ultimately bound for an honest and faithful discharge of his duty. He would go the full length that the warmest friends of the worshipful body of contractors could possibly wish him to go. He would even suppose that no corrupt contract ever had, or would be made. But after all these concessions, and concessions they would be acknowledged to be, even by the noble Viscount in the green ribbon, the learned Lord who spoke last, and some other noble Lords who spoke in the debate, and whose arguments were strongly supported, upon a presumption of the strict moral, as well as political conduct of the high contracting parties; it was plain as he observed before, that these were new discoveries in the moral and political world, something extremely different from the jealousies, suspicions, cautions, preventives, &c. which occupied the minds of our less wise forefathers; very contrary indeed to the whole scheme and spirit of the British constitution, and the voluminous resolutions of the British legislature. All these jointly and separately combined to establish a principle totally repugnant to that which noble Lords were of opinion was inherent in human nature. They thought that power was apt to corrupt the human mind, and to be frequently abused in the exercise; they vainly imagined that though it was honourable and charitable to suppose every man were honest till the contrary were proved, nevertheless it was the duty of Parliament, and the task of wisdom, to provide certain necessary means of confining the party possessing a trust within certain marked and measured limits, and to lay upon him such restraints as might prevent him from abusing the confidence reposed in him. These he presumed, were what the learned and noble Lord, and some other noble Lords who spoke on the same side, called idle, fanciful suggestions, the phrenzy of virtue, and the madness of ideal perfection. However foolish, idle, or fanciful they might now appear, he believed they sometimes produced very serious consequences, and if human nature was not become, within a very few years, miraculously, as it were, purified and refined, it was not impossible

but

but what once before happened might, in the revolution of time, happen again; for, if history had not misled him, those antiquated ideas operated in a variety of instances on real subjects; that men had been found corrupt and venal, and had suffered public ignominy and punishment for their venality and prostitution. He should not even resort to history; he believed their Lordships' Journals, as well as those of the other House, if examined, would furnish several instances of men in high trust having abused that trust, and of suffering under the strongest displeasure of both Houses, for their public delinquency; and as the noble Viscount in the green ribbon had described, with his usual ingenuity, prosecutions in parliament, or parliamentary inquiries in general, to have originated in faction, he begged the noble Viscount would distinguish the cases, so as not to confound the persecuting or prosecuting spirit of party or faction, with those where the facts were clearly, notoriously, and satisfactorily proved, and were followed with condign and exemplary punishment.

The particulars to which he had been alluding were, in truth, the very causes which produced the qualifying, restraining and excluding laws. Hence the several statutes, in order to lessen or restrain the influence of the crown, or the minister for the time being, from operating in parliament. If then the jealousy of Parliament itself was such, that it doubted the integrity of its own members, the general proposition, to come seriously to the question, on which the bill rested, stood unshaken.

He would never suppose, no more than the learned and noble Lord, till the same were in legal proof, that the particular cases alluded to, in the present debate, were sufficient to support the present or any future bill; those were now clearly out of the question: these contracts might have been the best or the worst that could be possibly made; but with that circumstance their Lordships had nothing to do; the persons described were not before the House in either contemplation of law or fact. He should be sorry, though the matter were admitted as proved, that the bill had not a more firm and durable support; for he would never consent, in any given instance, to apply a general remedy to a partial grievance. But taking up the question in the only light it could be fairly and distinctly viewed, saving as he went along the characters of the two gentlemen whose names had been so often mentioned [Messrs. Harley and Atkinson] and the noble Lord the minister in the other House, what did the whole that was urged in this line of argument amount to? To just this:

That

He then implored their Lordships to seriously reflect on the state of this country, in respect of foreign powers and foreign enemies; to look to its internal condition, to the temper of the people, and the domestic ferments already in being and daily encreasing, and see whether it would be prudent, at so perilous a moment, to push matters to extremity, by rejecting the first proposition recommended by the people to their consideration, and well weigh, whether the rejection of the present bill was of such consequence, as to risque the infinite mischiefs which might probably follow in consequence thereof.

Earl *Mansfield* rose next, and observed, that the only possible reason that had been urged in support of the present bill, was the correction of public abuses, which were stated in argument to exist, but of which, as far as he could learn, no proof, further than bare assertion, had been given.

The present question involved in it two matters of consideration, equally separate and distinct, though directed to the same end, that of public reformation. The first was to reduce or diminish the influence of the crown, supposed to be grown much beyond the limits which the constitution had marked out; the other, that of an æconomical expenditure of the monies raised on the subject. He should consider the bill in both lights, and briefly state his reasons how far the bill was or was not calculated to obtain the ends proposed, and at the same time accompany them with such observations as naturally grew out of the measure, considered as a measure of state.

He did not mean to controvert or discuss the speculative opinion on which the noble Lords on the other side of the House said the bill was framed, that of the encreased and encreasing influence of the crown. He was ready, for argument sake, to accede to the truth of the premises, in order the more immediately to meet the arguments raised upon it; and he was likewise prepared to grant that part of the learned Lord's argument who spoke last, that there was a principle of jealousy in the constitution, directed to keep a strict eye upon the members of the other House, lest the crown, which, with its ministers, was entrusted with the public treasure, and the power of bestowing offices, and conferring honours, should employ these sources of temptation, in warping the integrity of the representatives of the people, or biasing their judgments contrary to the well-being of the state, and the preservation of the constitution. If he understood

stood the grounds on which the bill proceeded, or the motives urged by the noble Lords, to induce a majority of that House to pass it, these, and these only, were the two great objects held out in the course of the discussion of the present day. He would trouble their Lordships with a few words on each of these heads, as as he did not think it becoming him to give a silent vote upon a subject of so much apparent importance.

The first consideration was this, and merely this. Would the present bill, if passed into a law, lessen the influence of the crown in the other House? Most certainly, if the influence meant was a corrupt influence, it would not; for if men were to be drawn off from their duty upon motives of mere self-interest, their minds and dispositions would remain exactly the same after passing this bill as before. If, on the other hand, the minister for the time being, or any future minister, was inclined to abuse the trust committed to his charge, the passing of this bill would work no change in his natural and habitual way of thinking. What then did the bill propose? To defeat the effects of such a disposition in the corrupted, by totally removing the ability of gratifying it in the corruptor, and creating a legal disability in the former to accept.

Here, he said, the argument of the noble and learned Lord came most powerfully in aid of the conclusion he was about to draw. Is there not a principle of jealousy in the English constitution, said the learned Lord, to render both Houses of Parliament independent of the crown? Most certainly, and of each other too. Have not, said the noble and learned Lord, a great number of statutes passed, professing that principle, and framed in strict conformity to it? Indisputably there have; but what was the consequence? That every one of them have been found either improper to be enforced, or nugatory in their nature, and are daily evaded, or in fact superseded by general consent. What strong reasons were there not urged in support of a general place-bill? A very improper bill, upon its original idea, in his opinion. What is the consequence? The person, as soon as appointed to a new office, is sent down to his constituents, and is again returned to Parliament by them ninety-nine times out of a hundred. The qualification act was no better than a dead letter, and several other laws, of a restrictive and exclusive nature, relative to the other House, had long since fallen into disuse, or were totally disregarded.

Try.

Try the present bill by the same test. The intended law supposes a pre-disposition to corrupt and be corrupted, and proposes to exclude a member of the other House only when he privately contracts in his own name, for he will be still at liberty to contract at a public bidding. Now, was there any thing in nature easier than in one instance, relative to a private contract, for a member of the other House to make use of another person's name, or, though the contract was made in public, than to say, who it was that offered the lowest terms? On this ground, though the object proposed to be obtained by the bill, that of lessening the influence of the crown, was a proper motive to induce their Lordships to send the present bill to a committee, the means were not at all commensurate to the ends.

The other point, that of œconomy, had been much insisted upon, and several particular facts stated to shew the necessity of the present bill, and to prove, that although the minister were incorrupt, that private contracts were replete with fraud and imposition, and consequently that public contracts were preferable. It had been stated, that a Mr. Atkinson had contracted with a noble Lord in the other House, for rum and some other articles, and had, from the ignorance of the noble Lord in the value of the commodity contracted for, or from the noble Lord's inattention, charged a most exorbitant and usurious profit, by which the public had been grossly and shamefully defrauded, to the amount of several thousand pounds.

It was an universal principle, in all human legislation, never to propose a law when there was an existing remedy adequate to the removal or correction of the evil complained of; and certainly if no remedy existed for the removal of the grievance stated, it would be an unanswerable argument with him for passing the present bill; but how did that matter stand in contemplation of law, and the judgment of that House?

A Mr. Atkinson, who, by the bye, was no member of Parliament, but a merchant of considerable eminence, comes to the noble Lord at the head of the treasury, and offers to supply him with a large quantity of rum. He is desired to propose his terms; he answers, the same as the contract made by the navy-board for the same article. The noble Lord enquires the price paid by the navy-board, and instantly closes with Atkinson; it however comes out afterwards that the high price paid for the rum by the navy-board,

board, is given in consideration of other articles, served for price under the market value. Here the noble Lord who made the contract is grossly imposed upon. He fixes an ideal value in reference to a standard, with which from the nature of the transaction it was not supposed he could be acquainted. But what is the conduct of the noble Lord? He prays over the real market value of the rum to Atkinson, and legally and justly retains the remainder for the public benefit. In both lights he acts as a trustee for the public, which he represents in either capacity. He thought the first bargain was an advantageous one; but when, upon enquiry, he found he was imposed upon and deceived, he determined nevertheless that it should continue an advantageous and equitable one for the public.

The other transaction alluded to by the noble and learned Lord who spoke last, and another noble Lord who spoke lately [Shelburne] the circumstances differed, though the principle was the same; and the application to the conduct of the noble Lord, the minister in the other House, equally just. The noble Lord agreed with Atkinson for a certain stipulated price per gallon. His Lordship enquires of Atkinson what he can afford such a commodity at, describing the quality of the rum he wanted. Atkinson informs the noble Lord, and his Lordship fixes the price upon the confidence he had in the character and veracity of the contractor. It comes out, however, that the price charged by Atkinson, as in the case of the victualling contract, is considerably above what it is sold for at market. Here then the matter was fairly turned round, and the grounds of necessity stated by the noble Lords who urged the impositions the treasury board were liable to, was, in his opinion, totally overthrown.

No imposition could be put upon the noble Lord. Attempts might be made, but the law had already provided a full and specific remedy; though the money had been paid, though several years had elapsed from the time of payment to the time in which the fraud was discovered, whoever defrauded the state was amenable and accountable to the public. All bargains made for the nation were made in contemplation that they were well made, and for the public benefit; they were clearly null and void *ab initio*, if not founded in equity and justice.

This was, he presumed, no new doctrine; it was coeval with the constitution. When in the immediate service of the crown himself [solicitor general] he had been frequently consulted

consulted by the King's ministers upon the subject, and had as often given his opinion, such as he had now stated it to be; and he remembered very well that when Attorney General, a governor of one of the West India islands had charged for articles more than their intrinsic value, and for some with which the troops had not been served, and he was intrusted to prosecute him; he did so, and every shilling above what was really expended in the public service was recovered in a court of law from the person who thus attempted to defraud the public.

Such would and must be the event of the affair alluded to by the noble Lords who supported the bill; and not only in that instance, but in every other in which any mark of fraud or imposition shall or may be discovered. Nay, there was not a single contract made since the commencement of the present war, against which any objection could be justly made, in which it was not competent for those who contracted in behalf of the public to make strict enquiries into the terms so entered into; and if they should find any overcharge, to demand it back if paid, or to retain it if not already paid over to the contractor; to even institute suits for the recovery of the difference, or justify the retention of it upon the grounds which he had now stated, namely, being the trustees of the public, and no further bound to the literal performance of such bargains, than they should appear, *bona fide* transactions on the part of the contractors.

On the whole, he did not think that the influence complained of did exist, or if it did, that the present bill contained a proper remedy; because allowing that the influence of the crown was increased and increasing, and ought to be diminished, he was persuaded that the present bill, like all others, would prove inefficient for the purposes for which it was apparently framed: and as to the promoting a more economical expenditure of the public money, it was clearly unnecessary; because the laws in being, as he had just observed, provided a specific remedy, fully adequate to the prevention of the evils complained of, one of which the present bill was apparently calculated to remove; if the minister was corrupt, no security could be given by him to the contractor, but that at some future day he would be compelled by law to refund, because the law was always open. The same argument held good if the minister was indolent or ignorant, so that in any or either event no detriment could happen to the state from the corruption or inability of the one, nor the fraudulent or dishonest attempts of the other.

The

The Duke of *Richmond* spoke chiefly to the point of influence. If its existence was once acknowledged, the bill he said called for no other support. He was ready to agree with both the noble and learned Lords who opposed the bill, that no measure which Parliament might or could adopt would destroy a possibility of evading it; not only in respect of the present proposed law, but of any other which it was in the utmost ingenuity of man to devise. On the other hand, if the argument was carried directly to the point to which it apparently led, every law, by such a species of reasoning, could be proved to be nugatory and absurd, because in some possible instance or other it might be evaded, or the evil subsist in some other form. Sufficient for the day surely was the evil. The bill proposed to annihilate a certain species of influence. How far it might answer the purpose, time could only discover; but it was a strange perversion of human reasoning, on the supposition of an existing grievance, to argue, that no remedy ought to be applied, because remedies were applied in other instances, but had failed, or their operations had been eluded by other evils starting up in the room of those which had been removed.

Every noble Lord who rose to oppose the bill had said, that public œconomy was necessary at all times, and much more so at such a season as the present, when one part of the empire was convulsed by a civil war or rebellion, and when we were engaged besides in a very unequal contest with two formidable enemies, united for our destruction; but though the necessity was granted on all hands, not one of their Lordships gave the least intimation of his intention to propose any measure to introduce new means, or enforce the old, for promoting œconomy. A learned and noble Lord of great authority, who speaks with particular weight, and is always heard with attention, says there are remedies and provisions already in being for enforcing a frugal expenditure of the public money. But with all the aids which the law has provided, the learned Lord does not venture to say that no waste of the public treasure has happened: far from it; he acknowledges that there has, but has forgot to state any instance in which the King's servants have applied that remedy. He says, the overplus has been retained in one instance; but surely the learned Lord has forgot the manner in which this matter first arose, or has never heard that this shameful fraud, this public robbery, would have slept like all the other contracts, in perpetual silence, but for the active part which a member of the other House [supposed to mean Col. Barre] took in that business.

He wished those noble Lords who opposed the present measure to consider all the circumstances which accompanied it. The people at large had agreed unanimously in one point; namely, relative to the increased influence of the crown, and the necessity of an immediate æconomical reform in the expenditure of public money. Some counties had only instructed their representatives; others had petitioned; a third description, much the most powerful and formidable, had agreed to committees of correspondence, associations, &c. to enforce the prayer of their petitions. Two or three counties had protested, and one in particular had presented a counter-petition; but however discordant or opposite in some instances, or however short one class of petitioners might fall of another, as to the objects of their wishes and expectations, there was one clear indisputable object which seemed to him to form a point of union, and so far bound them in duty to themselves, and in support to their own sentiments, to endeavour by every proper means to promote—and that was public æconomy. Some measures were proposed in the other House in consequence of those sentiments thus expressed, which were rejected; and out of all, this was the only one which met with success. Here then was at least one instance in which the people were united without doors, and unanimous within, the bill having passed the other House without debate or division; notwithstanding which, the King's servants and likewise the servants of the people in that House had resolved to reject and defeat a measure which seemed equally agreeable to their friends, as well as opponents, and that without argument, at least any reason assigned, which did not aggravate and heighten the disrespect and contempt in which they hold the wishes of the people, and the unanimous concurrence of the other House to gratify those wishes.

Every noble Lord who spoke against the bill treated the supposed influence of the crown as a chimera which took possession of the brains of some speculative men, or considered them as the suggestions of faction, in order to embarrass government; or, lastly, that the influence described was a legitimate proper influence, and was necessary to the carrying on and conducting the affairs of the nation; in short, that it was an influence vested by the constitution in the crown. It was no easy matter to argue the point clearly, and come to an issue upon the matter in controversy, because what might be a full answer to those who entertained one opinion, would be totally irrelative and inapplicable, in reply to another. He did not therefore mean to answer discordant and repugnant
opinions.

opinions. When any proposition was framed on which administration were united, he would meet them fairly; but at present it would be a very idle manner of spending his time in controverting opinions upon which no two persons supposed to be concerned in conducting the affairs of government were agreed. Though he meant to decline so vain and useless a task, he nevertheless thought it necessary to say a few words respecting the petitions, and the avowed opinions of the other House.

A very great majority of the petitioners, and a very considerable one he believed of the electors and the mass of the people of England, agreed in two points—that the influence of the crown was dangerously encreased, and that a reform was particularly necessary in the expenditure of the civil list revenue. In the course of several debates, in which these two questions naturally became the subject of discussion, the facts alluded to were controverted and denied. The minister in the other House, and some persons of considerable weight in administration in that House, maintained the negative in argument. A very able gentleman, of great talents and professional knowledge [Mr. Dunning] framed two questions in order to take the sense of the House, and learn whether the opinion of their representatives accorded with the sense of their constituents. His first proposition was, whether the influence of the crown had encreased, was encreasing and ought to be diminished. The second, whether the representatives of the people were competent to enquire into, and in case of abuse to reform the expenditure of the civil list. Another gentleman [Mr. T. Pitt] had likewise moved, that it was the duty of that House to redress the grievances of the people who sent them there, as stated in the said petitions.

The fate of those three propositions was well known. They were resolved each of them true, by a most respectable majority composed of 233 members. A measure directed to diminishing the influence of the crown soon after came before that House; it was lost by a majority who did not approve of the means proposed, though they continued to maintain the principle on which it was supported: so that 233 members of the other House, supported by a clear and decided majority of the people without doors, had, by an act of a public nature, declared opinions, every one of which the noble Lords who spoke in the present debate did not admit to be true, or controverted in some one shape or other.

That the contracts were fairly, honourably, and equitably made, and that the contracting parties were fair and honourable men. So far he was ready to go: but though he abhorred the idea of entering into corrupt bargains as much as any one of their Lordships, he would ask them, did there no bias hang upon the minds of men in certain situations, and in the course of certain transactions? Did not gratitude or friendship ever operate as a source of influence? Were there not many questions and some of them perhaps of the first importance, so nearly balanced, that a profitable connexion either in possession or expectation might not turn the scale? Was there a single measure proposed to Parliament, however mischievous or pernicious in its nature and tendency, that wanted able and willing advocates to defend it? In such an equilibrium, when arguments were managed with so much dexterity and address, that it became difficult to determine on which side truth lay; did not interest often imperceptibly intrude itself, and furnish the mind with plausible arguments and specious pretences to cover its secret workings?

He would just suggest another almost irresistible source of influence, which operated on the minds of some men very forcibly, and of the most worthy and respectable description, where the first-rate virtues gave birth to the evil; he meant gratitude for past favours, or present benefits, or a regard to one's family and dependents. They were both implanted in the human breast for the best and noblest purposes. He was far from arrogating to himself the stern virtue of keeping their effects at a distance. He might struggle against them, but he could not promise to say, he would come off victorious. The safety of the state, and the preservation of the constitution, might, under certain circumstances, be involved in the fall of a minister, and the most serious personal consequences arise to the minister on his fall. Where was the man hardy enough to say, that he would in the day of adversity unite in the destruction of his friend and benefactor? Where was the man bold enough to say, if he had no provision for his family, or was of an avaricious temper, that he could withstand the temptation of providing for one, or of gratifying the other? The case was a strong one, but it had happened, and might again happen, that it would become the public duty of a man to join in measures for the destruction of his benefactor; and as for the other temptations mentioned, he presumed, no noble Lord, or any other person, who in the least mixed with the world would deny that

that such temptations as he had described offered themselves too often; and, without distinguishing the present age from any former period, or censuring it in a severer degree than truth would justify, there was very little reason to doubt, that such temptations were not always resisted.

Great and princely fortunes made without trouble, within the course of a few years, were strong temptations to be held out to any man, to induce him to come over to the opinions of those who had the power to offer and the ability to confer the favour. This was the language of a noble Lord not many years deceased, who was well acquainted with the subject, and spoke from experience [Lord Clive]. That noble Lord when the clamour first was raised against the nabobs, who amassed princely fortunes in a very few years in India, was heard to acknowledge in the other House, of which he was a member, "That the temptations held out to adventurers in that part of the globe, were such as flesh and blood could not withstand." The noble Lord said what was perfectly true, and he had every reason to be persuaded of what the noble Lord had so candidly acknowledged.

His Lordship then proceeded to speak of the conduct of the court of Petersburg, relative to the declaration or manifesto issued by the Empress; a declaration which, in his opinion, went to disstate to all the maritime powers of Europe, and was totally subversive of the first principle of the law of nations, which had never went so far as to say, that neutral bottoms protected the goods and effects of an enemy; on the contrary, every writer, who had ever discussed the subject, as well as the general and municipal laws of nations, sanctioned by the admiralty tribunals of every power in Europe, supported this opinion; that although the bottom was free, the effects of the enemy on that bottom were deemed lawful prize. His Lordship predicted the worst consequences from this dangerous and arbitrary edict, for he could call it by no better name; and said, in the present existing circumstances of this country, and the advantages she derived from her local situation, in respect of the northern powers, he saw nothing but inevitable destruction; for the alternative was, a war with the northern powers, or the permitting them to assist our declared enemies to subdue us by indirect and collateral means. If this declaration was not withdrawn, he left it to ministers, whose duty it was to provide a remedy, to embrace which side of the alternative they thought proper.

He

This, he said, was an alarming circumstance, and created in his mind the most melancholy apprehensions. Take the matter either way, the consequences might prove dreadful. If the other House resolved from private motives, or to answer electioneering purposes, which he hoped was not the case; what they themselves did not believe to be true, where were we? In the worst of all possible situations—the House of Commons, which was the great barrier between government and the people, reduced to this dangerous and critical dilemma, that of adopting measures of which they secretly disapproved, or of flying in the face of their constituents; which difference of opinion, should that happen to be the case, might end in the dissolution of all government, and the overthrow of the constitution. Take it on the other side; suppose the majority of the other House to be sincere, and suppose that measures like the present, founded upon the resolutions alluded to and described, and which, if not founded upon those resolutions, were, in sense, object, and effect, substantially correspondent: and suppose further, for the facts and circumstances justified such a supposition, that the present bill, and other measures of a similar tendency, should come up supported by the constituent and representative bodies, and receive a negative here, denying the principles on which those measures were formed, and refusing all sorts of redress, what an alarming state of things would such a denial or refusal probably produce! He was filled with horror at the idea, and could only say, that those who advised their Sovereign not to comply with the wishes of the people, thus constitutionally expressed, would be answerable for all the direful consequences which must, as he foresaw would, follow.

Such advisers would reduce his Majesty precisely to that situation, the most to be avoided in any government, but most of all in that of England, that of setting up a different interest in the King from that of his people; a doctrine, in his opinion, amounting to the highest political blasphemy and treason against the prince and people. The contrary was known to be the doctrine of every wise and virtuous statesman. The connexion which bound the king and his subjects was preserved by an interchange of good offices, mutual confidence and good will, in a reciprocity of favours and graces; in mutual benefits, and mutual protection and support. When any other means of carrying on government were resorted to, they were founded in weakness; they created jealousy and distrust, and must either crumble to pieces of themselves, or involve their authors and the country in ruin. No man
would

would go farther in the support and maintenance of the constitutional prerogatives of the crown, and the just rights and privileges of the people; but he dreaded sincerely, if something were not done in time, that the best men would be obliged to give way to the current of arbitrary power, or to the next worst event that could possibly happen, to anarchy and confusion, and all the dreadful concomitants of a civil war. Yet alarming as this picture was, it was, he feared, meant to be realized. What passed that day confirmed his fears, and created fresh apprehensions. The conduct of the minister of the other House, indeed, put the matter beyond a doubt, when thus confirmed by his colleagues in office here. The noble Lord had apparently determined to set the King and his people at variance. He had endeavoured to thwart every measure proposed for the advantage or satisfaction of the people, and by all the little arts of ministerial chicanery and parliamentary dexterity, to create divisions among those who opposed him. He had thrown numerous impediments in the way of every measure, and had displayed all the manœuvres of a person determined to teaze, distract, and confound, and to defeat by management what he had not the candour nor abilities to openly and directly oppose. He said that this was acting in a most criminal and wicked manner; and however strong it might sound, he would fairly declare, that any noble Lord that heard him who should continue to support such a man would be equally wicked and criminal himself.

After taking a short retrospect of that noble Lord's administration, and pointing to the principal measures, all which as he enumerated, he contended more or less tended to bring us into our present situation, and whose obstinacy was now accelerating our ruin, he replied to several of the objections stated to the bill, and earnestly entreated their Lordships to permit it to go to a committee, where it might be improved; for he found himself at perfect liberty to say, that it did not come up entirely to his own ideas, though he most heartily and sincerely approved of the principle.

He had turned his attention somewhat to bills of disqualification, and he must acknowledge, that he did not much approve of the mode hitherto taken up and adopted to obtain the object. The rights of election and representation were of the very essence of this government; they ought therefore to be touched with a very delicate and cautious hand. He thought that nothing should restrain the choice of the electors; or the eligibility of the candidate; though influence, which operated in Parliament, ought to be restrained, an acceptance
 S 3 of

of a place of trust should never be deemed to imply a corrupt act. The people should be all free to elect their own choice, and no law should be adopted that might directly tend to exclude great and respectable bodies of men, lest such men, being excluded from partaking in the power of legislation, should wish to overturn that constitution which had proscribed them. Many measures had been spoken of without doors relative to representation, to shortening the duration of Parliament, &c. He was not prepared to give any opinion on the subject, nor would it be decent to prejudge them till they came regularly under his consideration. He feared they were too numerous, and embraced too many objects; for in his opinion the nation ought to unite upon one great constitutional point, as a basis for what was to follow, and which would reach the root of the evil.

Though he approved of the bill, he had no great opinion or expectation from it. It was but a part, and a very small part of what ought, and he foresaw, sooner or later, must be granted. As he said before, he did not approve of the mode of disqualification proposed by the present bill; that was an additional motive with him for sending it to a committee, where, instead of disqualifying the member, he would remove the disability to the person of the minister, who should not dare to give a contract to any member of the House of Commons.

P R O T E S T.

Die Veneris, 14^o Aprilis, 1780.

THE order of the day for the second reading of the contractors' bill being read, the said bill was read accordingly.

Moved that the bill be committed. Which being objected to, after a long debate, the question was put thereupon.—Resolved in the negative.

Contents 41

Non-contents 61

Then moved to reject the bill.

The question was put thereupon—Resolved in the affirmative.

Dissentient

RICHMOND,
HARCOURT,
JERSEY.

Because the Commons, desirous of re-establishing the reputation and authority of Parliament, and of giving satisfaction to the people, at a time when the most cordial and unsuspicious confidence between the representative and constituent

ent bodis is essentially necessary, have come to a resolution, "That it is necessary to declare, that the influence of the crown has encreased, is encreasing, and ought to be diminished."

This resolution we conceive to be undeniably true, and highly seasonable. Their commencement of the diminution (which they have solemnly engaged to make) by the bill here rejected, is no less judicious. In the midst of a war, in which nothing (among all its unhappy circumstances) is more remarkable than the prodigality with which it is carried on, it appears peculiarly necessary to remove from Parliament the suspicion that the rash adoption, the obstinate continuance, and the corrupt supply of military arrangements are connected with the support of a court majority in Parliament.

2d. Because the people, oppressed with actual impositions, and terrified with the certain prospect of farther and heavier burthens, have a right to be assured, that none shall have a power of laying those burthens, who have an interest in encreasing them. Neither is it fit that they who are the principal subject of complaint, should sit as the controllers of their own conduct. Contracts can never be fairly made, when the parliamentary service of the contractor is a necessary understood part of the agreement, and must be reckoned into the price. But the most unexceptionable contract being a matter of great advantage to the contractor, it becomes a means of influence even when it is not a principle of abuse. It is the greatest of all the bribes a minister has to bestow; and one day's job may be worth the purchase of the fee of most of the places and pensions that are held in that House.

3dly. Because no reasons have been assigned for the rejection of this bill, but such as appear to us frivolous or dangerous. It was argued as necessary to abate the phrenzy of virtue, which began to shew itself in the House of Commons. This new species of phrenzy we look upon to be rather a character of soundness than a symptom of insanity; and we fairly declare, that as we frequently come into contact with the other House, we heartily wish that that distemper may become contagious. Another reason assigned against this bill, that it is impossible for vast pecuniary emoluments to have any influence on members of Parliament, appears to originate from so perfect a puerility of understanding, or such a contempt of that of the House and the nation, that it is mentioned as a matter to be animadverted upon, not answered. Of the same nature is the argument drawn from supposed improbability of abuses in contracts, because the law has left

in the hands of ministers the means of prosecuting at law the supporters of their power, and the accomplices of their own fraud and malversation. These arguments will give little satisfaction to those who look at the House of Lords as a barrier against some possibly sudden and mistaken warmth of the House of Commons that might be injurious to the just prerogatives of the crown, or the rights of the people; but we will not bear the gross abuse of this constitutional power; or that this House should set itself as an obstruction to the most honourable, manly, and virtuous resolution ever come to by a House of Commons; a resolution made in direct conformity to the petitions of their constituents. We protest, therefore, against our standing in the way of even the first steps taken towards promoting the independence, integrity, and virtue of a House of Parliament.

DE FERRARS.

ROCKINGHAM.

ABERGAVENNY.

FORTESCUE.

COURTENAY.

WYCOMBE.

PONSONBY.

PERCY.

FERRERS.

PEMBROKE and MONTGOM.

SCARBOROUGH.

J. ST. ASAPH.

BEAULIEU.

OSBORNE.

CHOLMONDELEY.

MANCHESTER.

COVENTRY.

ST. JOHN.

FITZWILLIAM.

ABINGDON.

PORTLAND.

DEVONSHIRE.

For the first and third reasons; adopting however very heartily in the present state of parliamentary representation the sound principles contained in the second, which yet I conceive inapplicable to this bill.

RADNOR.

The Duke of *Bolton*, the Earl of *Derby*, and Lord *Craven* being gone out of town before the protest was entered, but having seen a copy, signified their concurrence in the protest.

No debate till Wednesday, the 25th of April.

As soon as prayers were over, the order of the day, that their Lordships be summoned on a motion of the Duke of *Richmond*, was read: His Grace then rose, and informed their Lordships, that the motion he meant to submit to the consideration of the House, related to the state of Plymouth and vicinities, at the time the combined fleets of France and Spain appeared before it in August last,

last. He should not endeavour to excite any extraordinary degree of attention; the subject, he trusted, would call and ensure so much in that assembly as it was entitled, and no more. He would not say, that the object of his motion was of the very first importance, because, in truth, he knew many other matters of much greater. He knew it did not present an object to their Lordships equal to the loss or re-possession of thirteen American provinces, nor would the loss of Plymouth be so important in its consequences, as the capture of Jamaica, and our other West India Islands. He was ready to acknowledge, that it was not so alarming, as the encreased, and rapidly encreasing influence of the crown, nor likely to be so fatal as the want of unanimity at home. But, although the comparative loss, or rather preservation of Plymouth, must give way to the other objects he had pointed out, it would not thence follow, that Plymouth was of no, or of little importance. Plymouth, he well recollected in debate, on the first day of the session, had been acknowledged by the first Lord of the Admiralty, to be equal in value to one third part of the kingdom, at least as applied to our national defence, our navy. He was therefore warranted, from the first naval authority to conclude, that the safety of Plymouth was an object of very great magnitude, which was all he wished to take by the noble Lord's confession. The ruin or conquest of the country, would not, he believed, be the consequence of the destruction of Plymouth; but as a maritime power, it would be such a blow as would probably lay us, if not entirely, most certainly very much, at the mercy of our enemies. If such an event should ever take place, it would be problematical, with him, whether we should be ever again able to preserve our independence as a naval power. That such an event was very near having taken place, he made no doubt but their Lordships would be fully convinced, should the House agree to the motion for enquiry, which he was about to submit, and which, in his opinion, must have happened, but for the intervention of Providence in our favour. The scandalously negligent, and defenceless situation and state of that very important fortress, when the combined fleet appeared before it in the month of August 1779, had already undergone a considerable share of discussion within these walls, particularly in the course of the debate on the address on the first day of the session; and he could now prove,
from

from the most respectable and authentic authority, that of the general officer [Sir David Lindsay] who commanded there at the time, that nothing fell on that day from the side of the House on which he had the honour to sit, which could not be fully proved from the authority just alluded to.

He said, he was fully aware what disadvantages he, and such noble Lords as thought and acted with him, laboured under, when they made any motion tending to an enquiry into the conduct of those, who, unfortunately for their country, led, or voted in the majorities of that House! Little good was to be expected from any attempt of the kind, whenever the noble Lords in office set their faces against it. He need adduce no stronger proof than the fate of a late enquiry, which, instead of an expected and deserved censure, ended in a vote of thanks, though the evidence delivered at their Lordships' bar, and recorded on the journals, exhibited proofs, that if the noble Lord was not legally convicted of any crime, there were several parts of his Lordship's conduct which loudly called for reprehension instead of public approbation. [Lord Sandwich, respecting the enquiry into the management of Greenwich Hospital.] This unpromising aspect, relative to what he had a right to expect, in every future effort of a similar nature, should not discourage him nevertheless from pursuing the strict and steady line of his duty. It was one thing to attempt; it was another to ensure success. Be that as it might, how great soever the difficulties and discouragement he should have to encounter might prove, he would have one consolation in reserve, that the approaching and uninterrupted ruin in which he perceived the nation daily more and more involved, had not arose from mere accident, or fallen of a sudden, but that its footsteps had been discovered and marked out in all its successive stages, consequently those who pursued this conduct would be totally guiltless of the threatened calamities which were about to fall on the nation, and crush it to pieces.

The vast importance of Plymouth to the maritime strength, and consequently to the preservation of this kingdom, against the attempts of bold or daring invaders, had, as he observed before, been fully acknowledged on every side of the House; he should not, therefore, unnecessarily trespass upon their Lordships' time, on a point which did not admit of a second opinion. If then popular opinion, if his own particular knowledge,

knowledge, or the report and opinion of every respectable officer of high rank and long experience, who commanded there at the time, stated in the motion, deserved any attention, or were entitled to any particular weight, he was well warranted in inferring from these premises, that their Lordships would see at once, not only the propriety, but the necessity of his proposed enquiry. To bring the motion forward in the best manner, was his wish, and the only difficulty which suggested itself to him on the occasion, was, whether it should be directed to the present state of that fortress, or be confined to its state and condition at the time the combined fleet appeared before it last autumn. Upon the fullest consideration, he was for taking the former course, in order to state what the condition of Plymouth was at the time he was speaking, because, either it was in a proper state of defence when the combined fleet appeared before it, and consequently continued so still; or, having been at the former period defenceless, ministry, more particularly the commander in chief, whose peculiar duty it was to see that it should be put into a state of security, had taken the proper steps for that purpose. He had warned the noble Lord at the head of the staff, immediately on the rupture with France, in 1778, and with Spain in 1779; and upon several subsequent occasions, of the necessity there was for taking particular care and paying every possible attention to the defence of Plymouth, and that part of the country. He had repeated his admonitions last summer, at the close of the session; and it was still fresh in their Lordships' recollection, what a full and long discussion the subject underwent on the first day of the session in that House. Under such circumstances, after warnings of two years, and of nine months standing, but above every other motive, since the appearance of the enemy off Plymouth, and what passed in the course of the debate alluded to; it was fair to presume, that administration, with the advice, assistance, and necessary information given from time to time by the noble Lord, the oldest officer on the staff, that Plymouth, in every respect, was in such a state of defence, as to stand the test of the most rigid enquiry, and that a knowledge of its real strength, instead of operating as an invitation to the attack of an enemy, would have an effect the very reverse, and would discourage our enemies from any future attempt similar

lar to that which was expected would have been made last summer.

It might be objected to this, he foresaw, that it would be extremely improper to have the present state of Plymouth laid before the House; because, though no possible inconvenience could arise from any of their Lordships being made acquainted with it, yet, notwithstanding every precaution that could be taken, it would be impossible to conceal it from our enemies, as modes of conveyance would not be long wanted. This was the old story, and a most ridiculous flimsy pretext it was, to keep their Lordships and the public ignorant of every circumstance relative to our real situation; as if our enemies were not much better informed of the real number, state, condition, and situation of our troops and navy, our naval arsenals, fortresses, and different places of strength within the kingdom, not only than their Lordships, but he believed he might add, than the noble Lords in office, or what might sound still stronger, than the noble Lord on the cross bench, the senior general officer on the staff.

Such were his general ideas; but it was the opinion of some noble Lords near him, to whose judgment he was always willing to refer, that in order to take away even the shadow or colour of an apology of putting a negative on the motion, lest it might be the means of conveying to our enemies a better or more minute knowledge than it would be prudent at this time to risque, he had, as well to accommodate the motion to the wish of some of his friends, as to obviate every possible objection, on that ground, resolved to decline his original intention, and confine his motion for an enquiry into the state of Plymouth, as it stood in August last. He would not trouble their Lordships in this stage of the business, in recapitulating the different particulars which had from time to time dropped in that House; he would not allude to any thing similar which had come out on the same subject in another place; nor insist upon the general prevalent opinion without doors, which all united to fix and ascertain one established fact, founded in almost universal opinion, "that Plymouth was in a most neglected and defenceless state when the combined fleet appeared before it." To know whether this was true, or if false, to disprove it, was become highly necessary, not so much by way of retrospect as prevention, to go into an enquiry on the subject, and see to whom the neglect, if any, was imputable;

imputable; and such a measure was become infinitely more incumbent upon their Lordships, because by the present military arrangement of command, or government of the army, there being no commander in chief, or person responsible to that House, which was a subversion of that defined principle of the constitution, that always presumes in every act of the state, in council and every thing, flowing from the advice given in that council, "that some body is responsible in every department of government." It was true, that the noble Lord to whom he had so often alluded discharged the duties of a commander in chief. Why had not his Lordship the unqualified appointment? He understood he had already possessed all the emoluments of the post; why then should his Lordship be put into a situation for which he was not to be responsible, unless it were to evade all censure in the event of incapacity or neglect. Perhaps the noble Lord had no power to act, but was under the direction of others. If so, he was ready to declare, that he sincerely pitied him; if, on the other hand, his Lordship possessed the power annexed to the post of commander in chief, as well as the emolument, he said, such a shifting, equivocal arrangement, was a gross and flagrant imposition put upon the public and the whole of the military profession; because every act, however weak, tyrannic, or unjust, might, to answer purposes according as circumstances should arise, be on this day shifted from the senior officer of the staff, and the next be thrown back upon his Majesty's confidential servants. There was, besides another very urgent reason for the appointment of a commander in chief at this time, namely, the great and extensive military operations we were engaged in, in almost every quarter of the globe. At war with France, at war with Spain, and with our subjects in America, and for aught any one could say with certainty to the contrary, going to war with almost every state in Europe. In such a predicament, how did the case stand? No person was responsible to the Sovereign, nor of course to Parliament, for the military measures carrying on; they might be conceived in folly, they might be planned in rashness, or have originated in treachery; but let them be ever so wrong or so ill-judged, there was no man to whom blame could be imputed; there could be no redress, either by way of example or prevention. If this, or that measure was imputed to the noble Lord, he was prepared with a short answer: He was not responsible, for he was not commander

commander in chief. Call the next under him to account; he gave a similar answer; he acted in pursuance of orders received from a senior officer; and so on to a third, a fourth, &c. so that the responsibility was shifted from shoulder to shoulder, till it was impossible to fix it, unless we traced upwards, and concluded that the cabinet council discharged the duties of the commander in chief, or in the language of some in great confidence with their Sovereign, that the King was his own commander in chief, as well as his own minister.

In the instance of what was to furnish matter of debate for the present day, that of Plymouth last summer, it was singularly unfortunate there had not been at the time a commander in chief; for although the place was in the naked, defenceless state it was, which he trusted he would be able to shew, should their Lordships consent to go into the enquiry; though the inhabitants of the town and the whole adjacent country and coast, were to the utmost degree alarmed; though in this deplorable situation of fright, terror, and real danger, during the time the combined fleet lay before it, which was upwards of thirty-six hours; even in this scene of consternation, and the people flying on every part from the water side, he said, the command in such a critical moment was divided between three persons, namely, the military officer or commander of the troops [Sir David Lindsay;] the admiral of the port [Lord Shulldham;] and the commissioner of the dockyard [Mr. Ourry;] though not one of them had a power or controul over the other, nor any instructions to act in case of an emergency. The governor of Plymouth [Lord Waldegrave] was in London, and of course absent from his government. The moment he heard of the situation of the place, he proposed to repair to his government, but a difficulty arose, which became at length insurmountable. The fact was that the noble Lord, the governor, was a senior officer to the noble Lord at the head of the staff, and of course could not serve with propriety under a junior officer. This was another inconvenience which arose for want of a commander in chief; for in that case, the noble Earl who was governor of Plymouth, might, agreeable to the rule of the army, have served under the noble Lord. The noble Earl to whom he had so often alluded, was an officer of long experience and tried courage and ability. He did not speak from hearsay, he had *himself* been a witness of his professional skill, and of how well

well he deserved from his country. It was a circumstance he had within a few years more than once repeated in that House. The circumstance he alluded to was, his being present at the battle of Minden, when he saw the noble Earl lead up six regiments of British infantry, which alone stood the shock of the whole French army; and after one of the most gallant and spirited efforts ever made, with very little resistance, put it to flight, and obtained a signal victory, though out-numbered ten times over.

Such being the case, it was not only that all responsibility was gone, in respect of military measures, but that we were likewise deprived of the assistance of some of our ablest and most gallant officers; and that at a time too when we stood most in need of them. The merits of the noble Earl were passed over, because not being on the staff, it was impossible he could serve beyond the limits of his government, nor even then, if the present noble Lord, senior of the staff should happen to be there. In his opinion, therefore, his Majesty's ministers ought to advise the King to invest the noble Lord with the post, as well as emoluments of commander in chief.

His Grace having urged the necessity there was for military responsibility in a variety of shapes, the numerous inconveniences that had already arisen, and the more numerous mischiefs such a state of having a commander and no commander in chief must be productive of, returned again to the immediate object of his intended motion. He had for several weeks turned it seriously in his mind, and could assure their Lordships, that he could not see there was one solid objection to it. He would once more remind their Lordships of what he had said at his opening, that he wished to forbear all details relative to the state of Plymouth last summer, besides, he had them from such authority, he presumed, as could not be well questioned; and if the motion was to go, he thought it would be more candid and parliamentary, that these circumstances should come out in evidence at a future day, at their Lordships' bar. This would enable their Lordships to search the affair to the bottom, and see whether the popular reports circulated concerning the state and condition of Plymouth were true; and if true, whose fault it was, that so important a fortress, one of the great keys of the kingdom, happened to be left thus naked and defenceless? If, however, on the
contrary,

contrary, it should be the fixed purpose of his Majesty's confidential servants to oppose the motion, and by the credit they had with the majority of that House to defeat it, which, if thus resisted, he made no doubt would be its fare; in that case he would rise again and go at large into the particulars which he had then in his possession, and which he had likewise from the most unquestionable authority; so that whether their Lordships should or should not think them fit matter for parliamentary consideration, he was determined that the public should be acquainted with them.

Before he sat down, he thought it necessary in order to rescue the honour and character of a brave, able, and distinguished officer from that stain which he conceived had been cast on both, by the noble Lord ostensibly acting at the head of the army, to take notice of an expression dropped by that noble Lord in a former debate. If the expression was not used, the noble Lord would doubtless thank him for offering his Lordship an opportunity of contradicting a report which had gone forth, and was generally credited; and if it had been used, he had a right to presume, that the expression only accidentally dropped in the hurry and inadvertency of debate; consequently, in either event, he was persuaded the noble Lord would hold himself equally obliged to him for giving his Lordship an opportunity to deny the words imputed to him, or to explain them. The officer he alluded to on this occasion, who was likewise the same to whom he had so frequently alluded to in the course of his speech, was Sir David Lindsay, who in April 1779, was appointed to the command at Plymouth. Sir David had some time since done him the honour of a visit, and asked him whether the noble Lord at the head of the staff had said, that he [Sir David] requested to resign the command at Plymouth; and that he had been removed from that command merely upon his own application to resign. In answer to this question, his Grace said, that he so understood the noble Lord. On which Sir David expressed great uneasiness on the occasion, and recited all the particulars as they had really happened, fully satisfying him, that so far from the fact being such as the noble Lord was supposed to have stated to the House, that the idea of his resigning the command at Plymouth, had been first suggested to him by the noble Lord himself; for Sir David assured him, that so far from wishing to resign
his

his command, his wish to serve was such, as to offer to serve under whoever might be appointed to the post he then occupied. It was true, he had refused a command. He had been offered that of the troops in the north-western part of the kingdom, at Whitehaven, but he declined the offer, and that for, he presumed, a very good reason, as in his opinion, it would have been extremely improper for him to quit a place which promised to be the immediate scene of warm and active service, to go to the extremity of the kingdom, where there was little or no prospect of any. His Grace likewise called to their Lordships' recollection another expression which fell from the noble Lord in a former conversation on the same subject. It was, when his Lordship, being pressed on account of the defenceless state of Plymouth, replied, If it was defenceless it was not his fault, for every thing which could be reasonably expected from him had been done. This clearly was an implied censure on those who were entrusted with the execution of his orders, and would come out, upon enquiry, not to be the case; for as to the defence of the town of Plymouth, there was no person designed by rank or special appointment to defend it; and if there had, he made no doubt but he should bring home to their Lordships' full conviction, that in any event, the place, if attacked, was totally untenable, and must have fallen into the hands of the enemy.

His Grace, in very direct and energetic language, pointed out the cruelty of taking away an officer's character by false surmises and unfavourable conclusions; by laying before the public only such facts as answered the purpose of the person who stated them, and concealing those which he foresaw would make against him, particularly in a matter of so much importance, and of so nice and delicate a nature. It was very easy to state a general fact, that Sir David Lindsay requested to resign. He did so; but then under what circumstances? It bore a great appearance of candour in the noble Lord, to offer Sir David another command; but then the offer was such, as Sir David must, from the nature of it, respecting his former situation, reject; consequently it amounted to just nothing. Again, what was the cause of his resignation became another question: In the one instance, it was equally convenient to the noble Lord to say, that he had done every thing which depended upon him, and that if Plymouth was in a defenceless state,

it was not his fault. Here, was conditional blame thrown somewhere, and on whom was it so liable to lie as the person invested at the time with the command? Whereas, upon enquiry, expressly the contrary happened to be the case. Indeed, he did not know scarcely a single action of any man's life, professional or otherwise, however praiseworthy, which by some general expressions of this kind, might not in the same manner be turned to his disadvantage. Such being the manner the affair struck him, as far as the particulars related to the noble Lord and Sir David, he was firmly persuaded that the noble Lord would rejoice he had it in his power to do justice to an able and gallant officer, whose character might have suffered through the inadvertency and ambiguity of his expressions.

His Grace having shortly recapitulated the objects of his motion, read it in his place, and delivered it in at the table. It was by way of resolution, and was conceived in the following terms:

Resolved, "That this House will, on this day sen'night, the 2d day of May next, resolve itself into a committee of the whole House, to enquire into the state of defence of the counties of Devon and Cornwall, at the time when the combined fleets of France and Spain appeared off this coast in August last; and particularly into the measures which had been taken previous to that period, and whilst the enemy's fleet remained in the Channel, to put the port and dockyard of Plymouth into a condition to resist the enemy, had they at that time directed their force towards that port; and likewise to enquire what persons were responsible for the security of objects of such vast importance to this nation, and into the manner of such responsibility."

The Earl of *Pembroke* rose to second the noble Duke's motion, confirmed every thing which his Grace had adduced in support of it, and delivered his sentiments very fully and distinctly relative to the bad conduct and government of the army in general; affirming that the administration of that, as well as every other department, civil and military, was equally weak in itself, injurious to the individuals of the profession, and destructive to the service. Indeed, it presented little more than daily instances of partiality, insolence, tyratiny, baseness, and open or concealed malice. If any system was now visible, it was a system of undermining, of ruining the professional reputation of officers, of driving *them* from the service. It had been lately practised in many instances,

instances, which he should forbear to mention. As to the navy, the system he had been describing was well known to exist, and its pernicious effects were too fatally felt. Some of which were, that we had been deprived of the assistance of some of our brightest and most distinguished naval characters, of which, among others, he should mention a Keppel and a Howe. It was not even the services of those great and gallant officers that constituted the sole loss; it was their high professional reputation, and the confidence which their characters inspired both the navy and the whole nation with; while, on the other hand, discontents and want of that confidence were visible on every side. Many attempts, it was true, had been made, and means tried to vilify those able seamen, and to traduce both their public and professional characters, but in vain. The people in general, and the navy in particular, who were best acquainted with, and of course the best judges, earnestly wished for their return to the service.

In the army, the same plan or system of favouritism and oppression prevailed, though he could not say that the evil effects were so pernicious in their nature; yet, if followed up with the same steadiness, and pushed to the extent which daily instances gave him a right to expect; he made no doubt but the consequences might prove equally destructive. The great source of this evil, he said, arose from the new device of giving temporary rank. By this scheme, inferior officers, and even persons who had never seen service, or before the date of their commissions, been enrolled soldiers, were put over the heads of gentlemen who composed the great mass of the officers of the army, the field officers, captains of companies, and veteran lieutenants. In some instances, subaltern officers, in others, new comers, who hardly knew the right end of a firelock, were put over the heads of lieutenants, colonels, and majors, of thirty and thirty-five years standing in the army; and the whole class of captains, much the greater part of whom had been in service for at least twenty years, and nobly distinguished themselves both in the former and present war, in almost every quarter of the globe. It was not only an act of injustice in the mere routine of promotion, but it checked rising merit, and tended to sow discontents and damp the zeal of professional men, when they found their services thus required, and themselves liable to be commanded by any person however unfit or unequal to the task, who came recommended by a favour-

rite or powerful minister; in short, great professional merit, long and tried zeal, and spirited exertions to distinguish themselves, were no longer recommendations to preferment; so uncertain was the rule, or rather the caprice which influenced promotion, that men regularly bred to civil professions; men who had not a single military idea, stood a much better chance of succeeding in their application for high military rank, than those to whom it was immediately due, by their standing in the army. As a proof of this irregularity and departure from the established rules of military promotion and gradation of rank, which had prevailed till very lately, and had ever since the establishment of a standing military force in this country, been invariably adhered to; he knew an acquaintance of his who had applied for a company, it was with difficulty, at length procured. Upon some proposed arrangement, or benefit to the service, he afterwards applied for a majority. He was informed, that his request could not be complied with; but in a few days, however, to his no small astonishment, according to the new system, he found himself unexpectedly, and without any application on his part, appointed a colonel!

His Lordship repeated his full and hearty approbation of the noble Duke's motion; because it was directed to an enquiry which he thought of the first importance. The state of Plymouth, last year, ought to rouse the attention of every Englishman, and excite his indignation. Such gross inattention, such obstinate and unaccountable negligence, was, in his opinion, unpardonable, and called for condign punishment. It was criminal in the highest degree, and could have originated from nothing else but treachery, or the most gross, dull, and flagrant incapacity. Such he predicted would continue to be the state of public affairs, so long as they continued to be administered by those, who at present held the reins of government; and more especially so long as the noble Earl was permitted to preside at the head of the Admiralty, who, on a former occasion, when the appearance of the combined fleets off Plymouth, furnished matter for some observation from the side of the House on which he had the honour to sit, presumed to treat the matter with all possible levity and ridicule, and seemed to make no other impression on his Lordship, than to recal to his mind the ludicrous allusion to the old couplet,

"The

"The King of France and forty thousand men,
Went up the hill and so came down again."

His Lordship concluded, with asking what serious good could be expected from a man, who could treat a fact of so alarming a nature, and which had thrown the whole kingdom, and not without apparent cause, into a panic, in so light and improper a manner?

Lord *Amherst* rose to explain the words imputed to him by the noble Duke who made the motion, said to have fallen from him upon a former occasion, relative to the resignation of Sir David Lindsay. He believed (but such of their Lordships who had a better memory, might, if he was wrong, correct him) what he said, when that officer was last mentioned in their Lordships' presence, was, that Sir David Lindsay desired to resign, and that his resignation was accepted. By what he understood from the noble Duke, the fact, as now stated, was acknowledged. Sir David Lindsay solicited leave to resign, and his solicitation proved successful. Another matter had been urged, which was, that he had said in debate, a command was offered to the commander of the troops at Plymouth, and that he declined the acceptance. So far, he presumed, both facts were clearly established, as to the motive which induced the commander of the troops at Plymouth to resign in one instance, or to refuse another command in the second, was, at present, totally out of the question. He was ready to acknowledge, that Sir David Lindsay wrote to him to apply to his Majesty for leave to resign, and accompanied his request, with an application to have liberty to serve as second in command. The former, as he observed before, was granted; the latter, his Majesty did not think proper to consent to. So far as his own conduct was concerned in the present proposed enquiry, it would meet entirely with his approbation. He acted under orders, and hoped he had performed his duty. He did not wish to enter into particulars; but should there be a specific charge made against him, relative to any part of his conduct, he would, in that case, as he should think it his duty, give the best answer in his power, and readily submit the result to their Lordships' judgment.

Lord *Stormont* said, if he had considered the question merely as a military one, he should have felt his own inability to speak to it, especially after it had been opened and supported by two noble Lords of such great professional weight and experience; but as he considered the question rather

rather as a political than a military question, he would, with the indulgence of the House, and as far as his poor abilities permitted, state to their Lordships his reasons for objecting to it. The motion went to the proposing an enquiry into the state of Plymouth; not its state at this present time, as the noble Duke had declared he wished it to go, (though he had waved that, in order to obviate any objection that might be made to it, on the ground that it might serve to convey intelligence to the enemy) but its state last year, when the combined fleets of the enemy had appeared before it. With great submission and deference to the noble Duke, the motion, and the enquiry it led to, were in his opinion, full as objectionable now as they would have been in the other case. If the enquiry was gone into, a full and minute description of Plymouth, its vicinity, and all its parts would come out. In such an enquiry, as Plymouth, like every other place, had its weak and vulnerable parts, those weak and vulnerable parts must necessarily be stated; he appealed therefore to the noble Duke, whether it would be wise to put the enemy in possession of that sort of intelligence, and whether, in fact, it would not be aiding their cause, and weakening our own? He for one should certainly think it would, and therefore he should object to the enquiry. While we were at war with France, the government of that country being absolute, she thence derived advantages which our free government did not give us, and it would of course, in his judgment, be a degree of political folly, bordering upon madness, to assist the enemy with intelligence of so important a nature; "indeed, there already subsisted a greater degree of intercourse and communication between this country and France than he wished." Were an enquiry instituted into a matter not liable to the same objection as lay in the present case, there would be a material difference; but the enquiry proposed by the motion, was not like an enquiry into the loss of Minorca, after the fortune of war had put it into the hands of the enemy, or into the loss of a battle; in either of those cases no injury could arise from any discovery, because the latter having been lost, was not to be fought over again, and the former being in the hands of the enemy, they were in full possession of the knowledge of its weak and vulnerable parts. The present enquiry was into the state of Plymouth, which narrowly escaped an attack from the enemy last summer, and which might be attacked by the enemy this summer.

With

With regard to the truth of the facts alluded to by the noble Duke, possibly it might be true that there was not a sufficient number of troops to do the duty at Plymouth; but then, in considering that, noble Lords ought to recollect, that if the fact were so, it might arise from causes far different from those of neglect, or criminal inattention either of the noble Lord at the head of the army, or any other person. Perhaps the fact was, that as many troops were in Plymouth as the necessary distribution of the force in the kingdom, for the various services, would allow. Could wishes create either an army or a navy, his wishes should instantly create an army and a navy for this country, superior to those of all the world, and able to crush all the enemies of Great Britain under her feet; but as their Lordships well knew, that the wishes of any man had no such præternatural power, they must be contented to take the force they had, and to employ it to the best advantage. While it was not sufficiently large to answer every end, and to cover every weak part of the kingdom at one and the same time, all that was in the power of human wisdom, was to cover those parts first which were most vulnerable, and most likely to be attacked. Taking it for granted, however, for the sake of argument, that Plymouth was as weak and defenceless as the noble Duke had stated, and that its being in that condition was owing to criminal neglect in some person or other, what pressing necessity was there to go into an immediate enquiry, and to risk the danger that might arise from publishing to our enemies where Plymouth was least strong, merely to ascertain to whom that weakness which existed last summer, but which now no longer existed, was imputable? Why not defer it till a proper time; till the possibility of any danger arising from it should be past doubt; till the war was at an end, and we had peace? He thought that would be by far the wisest way of acting upon the occasion, and therefore he repeated it, that he should give his direct negative to the motion.

The Duke of *Grafton* pressed their Lordships most earnestly to consider the motion with all possible attention. It was a matter of the very first importance, and if adopted, would operate both in point of prevention and example. He said, he had conversed with several officers of rank, some of whom had been on the spot at the time, and others since, who all agreed, that Plymouth was in a

most naked and defenceless state, in respect of troops, men to work or point the artillery, military stores of every denomination almost, carriages to mount the guns, handspikes to work them, sponges, ramrods, entrenching tools, and military implements of all kinds. If troops could not be spared, surely works might have been thrown up; if there were not matrosses or artillery men sufficient to work all the guns, surely some of them ought to have been put in a condition to render them fit for use; and, if there were a deficiency in other respects, the few guns that were properly mounted, and the few men who knew how to work them, should not be rendered of no service in case of an attack, for want of powder, ball, sponges, &c.

His Grace, after entering pretty fully into detail on the defenceless state of Plymouth, said, he could scarcely refrain laughing, did not the subject before their Lordships inspire ideas far from being pleasant, when he heard the noble Viscount in the green ribbon, solemnly expressing his fears for the dreadful consequences which might ensue, in case the defenceless state of that fortress, as it stood in August last, should now come to the knowledge of our foreign enemies. He begged the noble Viscount's pardon, but he presumed he was not serious, otherwise he should think those supposed fears truly ridiculous. He thought himself fully justified, in presuming that the noble Viscount wished only to amuse. The noble Viscount could not forget, that he himself, having the honour to enjoy a place of great confidence in his Majesty's councils, must have derived some knowledge how very different the real state of the case was, in respect of powers jealous of each other, even in a time of peace, much more in a time of war, when so much depended upon good and certain information. The noble Viscount well knew how much it was the duty of the person who had the honour to stand in the situation he did, to press those entrusted with the conduct of affairs at foreign courts, to gain the best and most authentic information respecting every thing which concerned the state, condition, and situation of the country where he resided; consequently the noble Viscount, if properly attentive to his duty, could not be ignorant, by a parity of reasoning, from what he had learned himself as a public minister abroad, how well informed the court of Versailles was of the state of Plymouth, as well now probably, as in the month of August; he

he hoped, therefore, that the noble Viscount, if he did not mean to abandon his argument at the very instant he urged it, without being obliged to take any thing upon trust, would agree with him, and that upon grounds arising from their former situations, that the state of Plymouth, its weak and strong parts; where it was vulnerable, where it was not; the several strong posts in its neighbourhood, the nature of ground, ports, &c. were as well known to the court of Versailles, as to any one noble Lord in that House, without exception; or to any one military officer in the kingdom.

He could not sit down without making one short observation on another curious argument made use of by the noble Viscount. That was, where his Lordship confessed his total ignorance of military matters; but rose to oppose the motion made by the noble Duke, merely as a question of state. This argument plainly imported, that Plymouth was not in a proper state of defence at the time alluded to; and the noble Viscount's opposition to the motion was evidently founded upon the idea, not that it would be the means of conveying to our enemies, for they were fully informed already, but to the people of England, the shameful and criminally neglected state of Plymouth in August last. The case the noble Viscount made of the argument, defeated the very conclusion he had endeavoured to draw from it; for either ministers were bound to shew that Plymouth was in a state of defence at the time the combined fleets appeared before it, or that it is so at present. If it was then in that state, no danger can now possibly ensue; even if it was not so then, it is fair to conclude, it is giving ministers and the noble Lord at the head of the staff, all possible credit to suppose, that it is not the case at present.

His Grace then proceeded to reprobate in very warm terms the shameful custom which had daily grown more and more into use in that House. He meant taking advantages of such of their Lordships as had not been in administration, nor trained up in habits of business, by the most gross and flagrant imposition. The noble Viscount in the green ribbon, every noble Lord in office who heard him, would confess, out of that House, the use of the secret service money, and the purposes to which it was employed. It was therefore no better than a farce, a solemn mockery, to oppose an enquiry upon the flimsy pretext of conveying improper

or dangerous intelligence to the enemy. For his part, if he had the honour of a seat in his Majesty's councils, and that any neglect or inattention had happened, he would much sooner have met the proposition moved by the noble Duke, by a direct, unqualified negative, than hunt for flimsy pretences, apologies which had not even common plausibilities to support them, and attempts to palliate and elude, which served only to irritate and call for the redoubled resentment of the nation. His Grace concluded with solemnly affirming, that he believed most sincerely, nothing but the direct interposition of Providence had saved Plymouth from falling into the hands of our enemies; for he was clearly of opinion, and he had the first military opinions in England to support him in the assertion, that, that truly valuable and important fortress must have fallen, had it been attacked.

Lord *Townshend* declared he differed entirely from the noble Duke, and that he was far from thinking Plymouth was last summer in the weak and defenceless state described; that in fact he had good reason to believe the contrary; and that so far from imputing its not being taken to the interposition of Providence, he imputed it to a very different cause, to the enemy's knowing it was too strong for them to attempt an attack upon it with any prospect of success. He declared he wished they had attacked it; he was aware that would be deemed a bold assertion, but he seriously meant it, and he made the assertion, because he had every reason to believe, that the enemy would have had the worst of it. He had a letter in his pocket, from the principal officer in the artillery at the time, giving him an account of the real state of the place, the number of batteries, the guns that were mounted, their situation, &c. &c. the whole of which, in the most direct manner, contradicted all the reports to the contrary. He had taken care, as far as his department extended, that nothing should be wanting; if any thing was, he desired it might be wrote for, and he would have had it sent immediately, which he said he would have taken upon himself, as master general of the ordnance, without suffering any delay by waiting for a board, or any other form. He declared he objected to the motion for more than one reason. In the first place, if the enquiry were instituted, the witnesses must necessarily be the officers employed in the various situations at Plymouth, who must be all sent for, and detained
here

here in town from their duty, when, perhaps, their services were essentially necessary down at Plymouth. In the second place, if military officers were examined to military points at the bar, various topics would be differently discussed; different opinions would be given, and those different opinions going out to the world might do a great deal of harm. In the third place, he did not believe that Plymouth was in the condition that it was stated to have been at the time. As he scorned little excuses, he would fairly and directly state the truths he was in possession of to the House, and where the doing so was not likely to be attended with any harm to the interests of his country, it was a line of conduct he ever would adopt; where he thought harm would be occasioned by his speaking, he would hold his tongue and be silent altogether. His Lordship then produced a letter from Major Anderson, of the artillery, dated Plymouth, December 6, 1779, which he read to the House. The letter contained a description of the state of Plymouth last summer, and contradicted in some points the various reports that had been circulated relative to its supposed weakness. It minutely described the situation of the batteries, and the number and size of the guns mounted on each, shewing that a ship of war, which could get into Hamoaze, must first face the fire of seventy-six cannon of very heavy weight of metal. It also stated the number of men to each battery, and in what manner seamen who were used to fight guns, were sent by the admiral to do the duty, and after the enemy's fleet were gone away, were returned to their ships, it being first settled that they should be again sent on shore immediately upon a signal being hoisted from Maker Tower on the sight of a fleet's approach. After reading this letter, and commenting upon it, he proceeded to inform the House that the writer of it was chief in the artillery command at Plymouth last August, his Lordship declared that he had himself gone down and inspected every thing that fell within the line of his office, and had found every thing as it should be, and no signs of weakness or want of strength in the works. He concluded with declaring, that he had said so much to convince their Lordships that he was not one of those who voted either from influence, or because others led the way, but that his giving his vote against the motion, as he certainly should give it that evening, was founded upon reasons which, to his own mind,

mind, appeared sufficiently strong to render it impossible for him to vote any other way.

The Duke of *Richmond* expressed his astonishment that the noble Viscount should give an opinion as to the strength of Devon and Cornwall, Plymouth, &c. directly contrary to the opinion of every officer who had lately visited those parts, and with whom he had conversed on the subject. His Grace then went into an examination of the argument of Lord Stormont, ridiculing it as weak, ill-founded, and inapplicable in every part of it. The noble Viscount in the green ribbon had declared that had he considered the question as a military one merely, he should have held himself incapable of speaking to it; taking it either way, either as military or political, the noble Viscount's speech proved him incapable of treating it with any degree of argument. His Grace said, as the noble Viscount was so totally destitute of professional knowledge, he would help him to a little, and that was by telling him, that where a place of consequence was weak in point of garrison, that it was possible to strengthen it by breastworks, and other works thrown up before it, till reinforcements could be had from a distance. That Plymouth had neither a strong garrison nor strong works, and the criminality lay in the noble Lord at the head of the army, sending neither men to reinforce the one, nor materials to strengthen the other, when the weakness in both had been made known to him. In order to prove that he had been warranted in stating that Plymouth was defenceless in August last, criminally defenceless, he would, since the enquiry was opposed, go into a full detail of those facts, which he had promised to open, if he was not allowed to produce them in a more regular mode by the examination of evidence.

His Grace, after a short pause, opened a thin quarto manuscript volume, from which he read Sir David Lindsay's state of every occurrence which had taken place relative to Plymouth, from the hour of his being appointed to the command, to the hour of his resignation of that command, including an account of his epistolary correspondence with Lord Amherst, from first to last, the whole drawn up in a most clear, correct, and convincing style of history, and amounting to a series of charges against Lord Amherst of the most serious nature. The detail, among a great variety of other circumstances of less consequence, stated, that though Sir David was in town a month between the time of his being appointed

appointed in April 1779, and his receiving orders to go to his command, he never once was happy enough to obtain an interview with Lord Amherst; that he had no opportunity therefore of talking over his instructions, or knowing what sort of discretion he was entrusted with on an emergency. That when he arrived at Plymouth, and had examined the state and condition of the place, he found it most astonishingly defenceless, the lines miserable beyond description, the force not nearly equal to the duty, which was considerably encreased by his having one thousand French prisoners to guard; that five hundred recruits were sent him, but that so far from their turning out a reinforcement, half of them were pressed men, and the whole so mutinous, that they required troops to guard them instead of their assisting in the duty of the place; that though the guns on the batteries required 1050 men to work and fight them, that there were only thirty-five matross invalids for the purpose; that there was a want of wadding, ram-rods, &c. and in short, he was under the necessity of writing up word that the place was not tenable against an attack. The detail then proceeded journal wise, and stated from day to day what was done on the appearance of the fleets of the enemy; that though word had been wrote down to him, that assistance would be given him from the navy, as soon as asked for, he with great difficulty, and after much delay, obtained a number of seamen to fight the guns, but not near the number necessary, and that no great dependance was to be placed in them, upon many accounts; first, because they were not, in fact, under his command, but the admiral's of the port; secondly, that they were liable to be called upon other service, and to fight their own ships, and had, as soon as the enemy disappeared, gone away; and lastly, because, however willing or alert, they were not calculated nor experienced in fighting land batteries, directing the guns, &c. The narrative stated a great number of other strong facts, containing an account of repeated applications to Lord Amherst upon the various heads of complaint; his Lordship wrote him word, that he thought he was eager to discover and multiply difficulties, and if he was displeased with his command, he did not doubt but his resignation would be accepted, and he might have the government of Whitehaven. That Sir David took the hint, and sent up a request, tendering his resignation, as he felt himself inadequate to the command under the difficulties
he

he met with, but offered to serve under another officer, expecting that the governor, Lord Waldegrave, would be the person sent down. That this offer was refused, and General Haviland was sent down, whereupon Sir David would not accept of the command of Whitehaven, as he should consider it an imputation on his honour to go from a place of actual service, to a place where no actual service was likely to occur.

Having read this detail to the end, in which Sir David appealed to all who heard it, whether his state of facts did not sufficiently clear him from all imputation; his Grace made several severe remarks on the conduct of the noble Lord at the head of the army, and said, that unless Sir David Lindsay's narrative could be directly and flatly contradicted, great blame was imputable somewhere, and that the whole must have arisen either from neglect or ignorance, each of which were equally criminal. His Grace also attacked administration in general for their conduct respecting Plymouth, and particularly censured the admiralty for ordering the work of the boom to be stopped, contrary to the joint advice and orders of the admiral, the commander on shore, and the commissioner, who being upon the spot, were certainly the most able to judge what was most proper for the defence of the place.

His Grace made several pointed animadversions on the language made use of by the noble Viscount, who spoke last [Townshend.] He observed, that upon a former occasion, and not one of a very ancient date [early in the session] the noble Viscount entertained opinions of a nature and tendency directly contrary to those he had now taken up. His Lordship, on the former occasion, was of opinion that seamen, though they might be usefully employed upon many services on shore, were by no means proper persons to direct the fire of land batteries. Upon such occasions, said his Lordship, it requires the skill and experience of men regularly trained and used to the art or science of gunnery; men who, from the distance, weight of metal, quantity of powder, &c. know where to direct the ball, the shell, or the mortar; and, as it were to foretel their probable effects. It was not, said the noble Viscount, truly and emphatically, the random shots, fired on board ships, engaged in rough and high seas, that would do execution at land. But now, the noble Viscount seems to have been enlightened, and embraced another set of opinions. He would

would not undertake to determine whether it was to the noble Viscount's late tour to the west, or the letter he received from Major Anderson, on whom he had bestowed such high commendations, to which his Lordship stood so highly indebted; but one point is evident, that a change and a very remarkable change of opinion had arisen in the noble Viscount's mind, since he had the honour of hearing him speak on the subject.

He did not pretend to contend with an officer of the noble Viscount's long service and great experience in military matters; neither did he mean to contradict a syllable advanced in Major Anderson's letter; but giving that letter every possible weight it was entitled to, or could deserve; he would ask the noble Lord, and every other noble Lord who heard him, putting the rank and weight of the two officers out of the question, whether a diary taken down from day to day on the spot, and by the proper officers, and regularly reported to the General, was not to be more depended upon, than an extract from a letter in answer to one written almost four months after the French had disappeared? Major Anderson's letter was written, as he understood, on the 6th of December; and the combined fleets were off that port on the 17th of August, a distance of upwards of sixteen weeks. There was another circumstance relative to this affair, not less striking; which was, that although such reports had been universally circulated, not only throughout England but all Europe, the noble Viscount never made any enquiry as General of the ordnance, till the subject underwent a long discussion in that House. Then for the first time, the noble Viscount thought it his duty to enquire, and now produces an extract of a letter from an inferior officer, solely supported and authenticated by the memory of the letter writer, at the end of four months, and opposes it to the regular official journal of the commander of the troops and temporary governor of the town, committed to writing at the instant, and of course authenticated by those whose duties it was to make the daily reports.

Lord *Townshend* rose to explain some particulars, in which he presumed the noble Duke had misunderstood him. He never meant to say, that the counties of Devon and Cornwall were strong in their present unfortified state; but he was clearly of opinion, that the vicinities of Plymouth, might be so assisted by art, as to render it impregnable
against

against any force France and Spain could send against it, from the sea; and posts might be taken and fortified, which with any tolerable proportionate land force to occupy those posts, would render it almost impregnable by land. He had viewed with the best attention he was capable of, the high neighbouring grounds, and the coast; and he was satisfied from the steepness and boldness of the latter, and the extreme difficulty of access from the country, that it would be to the last degree hazardous and dangerous to risk a landing in the face of an enemy in force; and though a landing were effected, it would be no less hazardous to force their way through the narrow defiles, and the various obstructions which nature threw in the way, and which might be easily multiplied by art; such as raising redoubts, and throwing up entrenchments, &c. From what he had seen himself, he was convinced, that Plymouth was not to be approached or assaulted with the most distant prospect of success from the sea. He was equally satisfied, that the enemy could not effect a landing near enough to the town; the coast to the westward being so very steep, and if they had, the party which might get ashore would most certainly be cut off. There were cases, there might arise circumstances, which he by no means meant to engage for. A formidable army might effect a landing; it might from its numbers force every part which stood in its way, or straighten a small and inferior army so, as to compel it to change its situation, or bring it to the alternative of either abandoning the protection of the place, or throwing itself into the town. He was not combating supposed events of this nature. He was adverting to certain known facts and circumstances. That a fleet had appeared off Plymouth; that if the fleet ventured in to attack the dock-yards and shipping; or that the enemy had landed such a force as they could have spared, in order to favour the attack by the shipping; that in any or either event, the attempt must have miscarried, and the enemy been repulsed with considerable loss, and no small share of disgrace.

This, and this only, was the point which their Lordships were to consider. What was the state of defence? What was the strength of the enemy? In that light he could fairly lay his hand upon his heart, and declare upon his honour, from what he had himself seen, as well as what he could learn from others, that any attempt against the town, docks, shipping, &c. must have miscarried.

The

The noble Duke laid particular stress on the circumstances of his not writing the letter, to which Major Anderson's was an answer, till after the subject had been discussed in that House. The observation was true. He believed he had not, till after he heard it discussed in Parliament. He could not then exactly say what day in November the Parliament met; but as far as his memory served him, he believed the date of his first letter to Major Anderson was on the 26th of that month; and it was probable enough, that it was the conversation on the first day of the session, relative to the state of Plymouth, which induced him to make a particular enquiry, and to apply to Major Anderson, as the most fit and proper person, to certify to him the truth, that he might not be led to believe implicitly, or condemn rashly, upon false or interested information. He had heard reports, as well as the noble Duke, that there were neither sponges to clean, handspikes to elevate, lower, or point the guns; bullets to fit, powder to discharge, nor men to work them. As he had the honour of presiding both in a civil and military capacity, at the ordnance board; he thought it somewhat extraordinary, that all this should happen to be the case, and never a single tittle of it reach his ears. That was the true motive which urged him to write to Major Anderson; he presumed it was a very proper one; without even hinting, that it arose from an intention to answer some future purpose of debate in that House. He had a very proper respect and high opinion of the talents and abilities of the noble Lord, against whom the present proposed enquiry was apparently pointed. But he could assure their Lordships, that the noble Lord at the head of the staff and he, were far from being in a state of intimacy with each other: they scarcely ever conversed; but as on one hand, he was by no means inclined to give the noble Lord credit, for what he did not deserve, he was equally averse to the throwing blame where he thought it was not due. Upon those general ideas, operating to a thorough conviction in his own mind, he was clearly of opinion that the noble Lord had done every thing in his power, under such circumstances; consequently that it would be very improper to go into a detail which could now answer no one good purpose; for he was satisfied, in every point of view, that the noble Duke's motion, was nugatory and ill-timed.

The Earl of *Sandwich* went very much into detail; described the maritime situation of the town, the channel or port which leads up to the dock-yards, the several batteries that commanded the entrance and the channel; and particularly, the great strength of the hill, and island batteries. He was free to acknowledge, he said, that two opinions prevailed respecting the strength of Plymouth; for while some described it as almost invulnerable, others represented it to be in a very weak and defenceless state. For his part, he ventured to think for himself, without exactly adopting any particular person's opinion. He had been frequently at Plymouth, both by land and sea carriage, and as far as a person not regularly experienced in naval and military warfare could form a judgment, he was tolerably well entitled to venture to give an opinion. He made every enquiry in his power, not only of sea, but land officers, of the state of the place, and in particular of the admiral of the port [Lord Shuldhham] that very morning, who assured him and confirmed to him, every thing which had been asserted in the course of the debate, by the noble Viscount who spoke last. When he has approached the port himself by sea, he could plainly see the narrowness of the channel, and its serpentine course; and as far as he was able to judge, sincerely protested, that it struck him as an attempt absolutely impossible for a single ship (for no more than one ship could venture in at a time) to make its way under the fire of seventy or eighty pieces of cannon, from five different directions, by which she would be subject to be raked every cable's length she should proceed; and at the same time be open to the fire of the ships of war in the harbour.

He had enquired about the want of matrosses, or men to fight the guns; he was assured by the same noble Lord, that the crews of the ships landed for the purpose fully supplied that want; and that had the enemy dared to come, they would have been covered with shame and disgrace. As to the particular wants which had been mentioned with an air of so much exultation; he believed the charge, if examined, would be found equally ill-founded. Powder he was convinced, was both in the magazine and several repositories in very great abundance; and balls too; for a noble Lord then on the spot [Edgecombe] the last day the want of balls was mentioned in that House, told him, he *could himself* have contradicted the assertion, as he had several

tal of them in his hand, at the time the French were lying off the town.

The noble Duke had said a great deal relative to the putting a stop to the going on with the boom, to be laid across the channel, in order to prevent the enemy entering the port, seaward; and presumed, that he had sent Captain Le Crass, on purpose to prevent the measure. His Grace likewise complained much that the commands were divided, and that there was no power on the spot to order or direct the joint operations of defence. To the first, he could say, that he did not send down Captain Le Crass, upon any particular errand whatever, more than to be present aiding and assisting with his advice; and as to the boom for the reasons before assigned, the total impracticability of entering the channel, unless the town and dock-yards were commanded by a superior land force; he thought it a very improper measure, as it would cause a waste of time, and hands which might be better employed, and create an unnecessary expence: and as to the divisibility of command, he presumed it arose from the nature of the place, it being at once a port, a garrison, and naval arsenal; but be that as it might, he presumed that was not imputable to the neglect or inattention of the board at which he had the honour to preside, but from circumstances or accidents in which he nor the board were not in the most remote manner concerned. Were he to give an opinion on the subject, it would be, that no inconvenience arose from the defence of the place, in certain respects, devolving upon different persons. On the contrary, in the hour of expected danger, he understood that the most perfect unanimity, cordiality, and zeal, subsisted between the gentlemen of the navy and the army; and that no other contention appeared, but that glorious and commendable one of seeing who should be most forward in promoting the service of his country, and protecting and defending the place, committed equally to the defence of the sailors, soldiers, townsmen, and civil officers. After a speech of upwards of an hour long, his Lordship concluded with asking, whether their Lordships would think it wise, prudent, or proper, by agreeing with the noble Duke's motion, to give our enemies a kind of invitation to attack us, by acquainting them with an exact professional description of all the hills, headlands, rivers, passes, defiles, &c. in the vicinity of Plymouth? For his part, though he trusted, that the enemy would repent of it, if they came in consequence of such an invitation, he was not so fond of the romantic and marvellous,

merely to court danger for the honour of braving it, and coming off victorious. On that ground consequently, he would give a negative to the motion made by the noble Duke.

Lord *Shelburne* said, before he went into a discussion of the motion, he must beg an explanation from the noble Viscount in the green ribbon, of certain words which he had taken down at the time the noble Viscount delivered them, and these were, "that a greater degree of intercourse and communication subsisted between this country and France, than the noble Viscount wished." The reason why he desired to have a full explanation of these words was, because as calumny was now so freely circulated, and not only aimed at whigs who were dead, but at whigs who were living, striking at the highest characters, at men of the first rank, of the most respectable talents, and of the most noble principles, it was highly necessary for that House to know whether noble Lords in the first departments of the state, not only privately encouraged those calumnies, but in public debate gave them their support by insinuations, which seemed to corroborate and confirm them. Their Lordships would immediately conceive from his description of the characters at whom these calumnies were levelled, that he did not mean to include himself in the number, not having the honour to be enrolled in the party thus pointed at, although he had been as much and as grossly scandalized that way, as others. But the person he alluded to, was his noble friend, the noble Duke near him [*Richmond*] who had been lately traduced and vilified in the most villanous, in the most black, in the most abominable manner. He said the channels through which these gross calumnies were circulated, were so low and filthy, that he should have thought them unworthy either of his own notice, or that of any one of their Lordships, had he not lately to his utter astonishment seen, that the falsehoods they teemed with, had more credit paid to them than he had imagined, and that Sir Thomas Broughton, in his speech at the Cheshire meeting, had adopted the idea, and alluded to it in a remarkable manner; and more than one allusion had been made to those fabricated falsehoods, in another place.*

His

* Meaning the House of Commons, where George Onslow accused, or at least strongly insinuated, that the Duke of Richmond's taking plans of the country, was with an intention to transmit them to our enemies; and on the same night asserted for truth, the observation

His Lordship adverted to the pretended informations that were given to the secretaries of state some years ago, against the first personages in the kingdom, charging them with crimes of the most unheard of and horrid nature; he begged therefore to know if any thing of the same sort was going on now, and for that reason he called upon the noble Viscount in the green ribbon to declare,—whether in his former situation as ambassador to the court of France, or in his present situation as secretary of state, any information had been given him, or had come to him in any shape, amounting to a charge against any one of their Lordships—he would not circumscribe and narrow the question—against any one member of either House of Parliament. He would put it in as full and as comprehensive a manner as possible; whether any accusation had been preferred against any member of that House, or the other, for carrying on a treasonable correspondence with France, or any of the enemies of the country. He expected to receive a direct and explicit answer; and hoped that the old game played by Mr. Dignam, whose fate and deserts were well known, was not meant to be repeated in order to answer the poor, temporary, wretched purposes, of taking from the weight and reputation of such persons, as in either House, disapproved and publicly opposed the measures recommended by the present administration. If any second plot was now hatching, let administration come forward like men, make their charges and quote their authority, and not like the lurking assassin, stab with promised impunity, under the protection of darkness; or basely whisper, hint, and insinuate, when they dare not speak out or direct, for fear of public detection.

Lord *Stormont*, said the words he had used were round, plain, and direct, and therefore he should not scruple to give them a round, plain, and direct interpretation, as he really meant them. He declared, he never in his life had, either in reply to invective, or in any one speech, made use of a personal allusion to any of their Lordships; that in the present case he had no intention of making a personal application; that he meant merely to allude to a sort of intercourse and communication carried on between this country and France, since the commencement of hostilities, which he feared was attended with very mischievous consequences:

servation put into the mouth of the Duke D'Aquillon, intimating his surprize that his Grace the Duke of Richmond had gone over to the French King's interest.

an intercourse, he said, which was carried on with as much indifference as if the two countries were in a state of perfect and profound peace. Through this channel, he did not doubt, but that much intelligence was communicated. This and this only, his Lordship declared was his meaning; he knew his own situation better, and what was due to the honour and dignity of their Lordships, than to confound *treasonable correspondence* with the words *communication* and *intercourse*, or to throw out loose and random allusions to the former in public debate.

Lord *Shelburne* rose with some degree of warmth. He contended, that the answer now given, was by no means satisfactory. The communication stated by the noble Viscount, was a communication that had for some months ceased to exist; but whether or not; the noble Viscount either alluded to some inconvenience, or bad or mischievous consequence, which arose from the present intercourse with our foreign enemies, or he did not. If the former, he presumed, the noble Viscount could be no stranger to the delinquents: if no evil existed, then what had fallen from his Lordship might pass for no more than a figure in debate. The alternative was held out fairly to the noble Lord to make his choice; that no evils existed, or if they did, they arose not from any correspondence, carried on between any of the members of either House of Parliament and our foreign enemies.

Lord *Stormont* appealed to the House, whether he was bound, upon the requisition of any one Lord, to answer to matters of state, the knowledge of which could only have been gained through the channel of office? He knew if the House insisted on it (though he believed he might stand excused even then in some instances) he must and would answer; but this he had always understood, since he had the honour of a seat in that House, was not the case upon interrogatories being put by an individual Lord.

Lord *Shelburne* so far agreed with the noble Viscount as to acknowledge, that he was not bound, as a matter of right, to answer questions which any individual Lord might put to him, but he believed there was a great number of questions that might arise in the course of a debate, which though put by an individual Lord, might afterwards become the questions of the House, and to which, it would be incumbent on any noble Lord to give a precise and direct answer, if *called upon*. But waving the right, for the present, or the application of the general rule; he wished to appeal to the noble

noble Viscount's courtesy, considering the daily libels which were published against his noble friend near him, and several other noble Lords on the same side of the House, to remove every appearance of doubt or uncertainty on the present occasion. For his part, he trusted to the noble Viscount's candour: He could not believe that his Lordship would, in justice to the noble Duke, refuse to give a reply, which might be contained in a very few words; Whether he did, or did not allude to any specific intelligence, conveyed by the channel before mentioned?

Lord *Stormont* said, he had spoken fully before on the subject. He did not think himself bound to answer questions put to him by individual Lords, and consequently he could make no other reply but what he gave before, which was, that when he spoke of an intercourse between France and this country, he had nothing more in contemplation, than the inconvenience arising from a free and uninterrupted communication between two powers at war.

He still contended that no individual member had a right to question him upon matters extraneous to the debate. He had explained his sentiments very fully already, and he trusted the noble Earl would urge the matter no further:

The Marquis of *Rockingham* observed, that the noble Viscount's conduct was totally unprecedented. As a person in high trust and confidence with his Sovereign, and from his office, supposed to be peculiarly conversant with every matter of importance, pertaining to the state, whatever fell from the noble Lord came with great weight. The noble Viscount laments the intercourse which subsists between us and our enemies. He wishes it were at an end. His Lordship must surely have some special reason for this wish. The noble Earl who took up this business, concerning the abuses and falshoods daily propagated in the prints, supposed to be hired and devoted to the views of government, calls for an explanation, which is denied him; so far as it relates to persons, the noble Viscount refusing to give any other answer, but a general one, that he alluded to the communication kept open by the packet boats, viz. between Margate and Ostend. This in his opinion was leaving the matter loose and unexplained; particularly since a noble Duke's name had been introduced into the debate. His Lordship reprobated in very warm terms the conduct of administration, in hiring and paying a set of miscreants and assassins to stab some of the first characters in this kingdom. Not con-

tented with listing an host of scribblers to delude the people and defend the measures of ministers, to complete their purposes those scribblers had instructions to vilify and traduce every member in both Houses, who distinguished himself in opposition. This was the last struggle of a desperate court faction, who were ready to risk every thing; the honour of their Sovereign, the happiness of his people, and even the nation itself, sooner than part with their present situations. He contended that the matter now had taken a very serious appearance, and that the noble Viscount in the green ribbon, was bound not only to the persons alluded to, not to leave the House in suspense, relative to the ambiguity of his expressions, but actually stood bound to the House itself.

The Earl of *Coventry* pursued the same line of argument for some time, and highly disapproved of the language held by the noble Viscount in the green ribbon. He insisted strenuously, that the request was not a request, the assenting to, or refusing of which could only affect an individual member of that House; it concerned the House as a body. It was their Lordships' duty not to permit any of their members to lie under wanton ill-founded imputations. It was equally so, when an accusation came from a person of the noble Viscount's rank and character, and positive relation to the state, not to permit it to be passed over in silence. Firmly persuaded that he was speaking consonant to strict parliamentary language, he thought it incumbent upon their Lordships, to oblige the noble Viscount to answer upon his legs.

The Duke of *Richmond* said, he believed no age or nation was ever a witness to so many repeated attacks as had been made upon him in the public prints. All equally scurrilous and false; but some of them founded in the most deep and rancorous malice. What principally distinguished those attacks from all others of a similar kind was, that the authors of those flagitious attempts, who not only endeavoured to traduce him, but to render him odious to the rest of his fellow subjects, were publicly encouraged and countenanced to stigmatize him as rebel and traitor; and he had every reason to be persuaded, rewarded by administration. To enter into particulars, would, he presumed, be unnecessary; he could not however avoid mentioning one paper in particular, which day after day, endeavoured to render him an object of national detestation. The paper he meant

meant was the Morning Post, whose editor or director filled up a certain portion of his scandalous chronicle every day, in heaping on his head the most false and hateful reproaches. And he had authority to say, and he appealed to the noble Lord on the woolsack, if his Lordship had not repeated application made to him by some of the members of administration, one in particular that he could mention, [supposed to mean Lord Sandwich] to bestow on this base libeller, one of the best livings in his gift, that should become vacant, as a reward for his dirty work. He said, those who either employed or rewarded this nefarious wretch, were ten times more infamous than he was himself. He however despised any thing such a miscreant could write against him, so long as the prostitute hireling confined himself to mere scurrility and Billingsgate; but when his daily calumnies were found to have no other effect but to create in the public the most utter contempt, this assassin, by the advice of his employers, ventured to take new ground, and to charge him with treason and intended rebellion.

He hoped his sentiments respecting the liberty of the press were well known. He looked upon the press to be the great palladium of the liberties of the people, having no doubt in his own mind, whenever the former should be impaired, abridged, or taken away, that public liberty would feel proportionably, or soon follow after. While he said this, no person who heard him, more sincerely lamented the licentiousness and abuse of the press than he did. Such indeed was the rage which prevailed for public calumny, that even the prince did not escape; yet he could plainly perceive, that ministers not only encouraged it, so far as it answered their own purposes, but even seemed to enjoy the prevalent licentiousness, daily apparent in the public prints. When he said so, he did not wish to be understood, that they employed people to abuse themselves. No; but by permitting such enormities to pass unnoticed, and letting the offenders continue to transgress with impunity, afforded him strong ground of suspicion, that these miscreants were permitted to indulge themselves, merely in order to furnish a pretext to take away the liberty of the press, on account of its perversion and abuse.

For his part, he thought, that he would at all times prove himself the best friend to the press, who should bring those to punishment that had abused the privilege. After explaining himself very fully on this part of his subject, he
appealed

appealed to the whole tenor of his conduct; since his first entrance into public life, nor should he have departed from it, if the affair he was about to mention, had not become a matter of state, or national interest, distinct from the person of the party accused. On less important occasions, he deemed it beneath him to take notice of an anonymous libeller; but when he found himself publicly accused in print, with holding a treasonable correspondence with the enemies of his country, he thought it then became the affair of the community, and his duty, to prevent other men from being so grossly calumniated, by directing the author of the calumny to be prosecuted in a court of law, and of course by making an example of him to deter others from committing the same crime; in carrying on this prosecution however, he did not avail himself of his privilege as a peer, by bringing an action of *scandalum magnatum*. Neither had he made a private or personal affair of it, but as the offence was an offence against the community, he brought it on in such a manner as to give the culprit an opportunity to justify his charge, and as he had accused him of being a traitor, that he might, if he could, prove his accusation. If he was the arch traitor the libeller described him to be, he had him at his mercy. He was conscious he was not, and was therefore prepared to meet the accusation directly. In the mean time, guilty or not guilty, he was determined to appeal to the laws of his country, whether such attacks were legal, till the facts were previously proved. He was free to acknowledge, nevertheless, that he was not conscious of having received any injury; because, had he been inclined to seek reparation in damages, he could not swear that he believed that any thing circulated or fabricated by such miscreants could injure his character; if it could have any such effect, he was perfectly satisfied that his character would not be worth preserving. At all events, how much soever he despised the various methods resorted to, in order to depreciate him in the opinion of his fellow subjects, both by the wretches he had been alluding to, and their more wretched employers, as the matter had undergone so much discussion, he thought it highly incumbent on the noble Viscount to explain himself.

Lord Stormont still pertinaciously adhered to his former resolution, and refused to explain. He lamented, as much as the noble Duke, the extreme licentiousness of the press, and the daily enormities committed under the pretence of

of preserving its freedom. He denied that he ever either directly or indirectly gave any countenance or protection to such publications, which, in his opinion, were a disgrace to the country where they were permitted. He had felt, while ambassador at the court of Versailles, and since, the mischiefs arising from this species of licentiousness; and he was persuaded, that no one circumstance more contributed to the difficulties we had now to contend with than the prints published in this country, and the speeches and conversations in that House, which, whether they were truly or falsely represented, never failed to be productive of much mischief. And as for the miscreant to whom the noble Duke alluded, the noble Duke himself could not hold him in greater abhorrence, contempt, and detestation.*

The Duke of *Grafton* said, that he did not see how the noble Viscount could leave the House, or their Lordships adjourn, consistent with their own honour, till his Lordship consented to give a full, explicit, and unequivocal explanation.

Lord *Dudley* went at large into the point of order; and insisted that the noble Viscount was not obliged to explain upon the requisition of any individual Lord, or any member, unless it was first determined by the opinion of the House that he ought to answer.

The Duke of *Manchester* said, that whether the charge could be fairly applied to any noble Lord, when the noble Viscount first used the expression, or not, was more than he could pretend to say; but, at present, considering what had fallen in the course of the debate, all doubt of the propriety of the desired explanation was clearly out of the question. The charge, he was ready to grant, when first made, was general. It might apply to any man indiscriminately, but the exception of the noble Duke and others being the persons meant, having been refused, gave the charge a new shape, and amounted very nearly to a specification against the noble persons whose names have been mentioned. This being his idea, he was determined to take the sense of the House upon it. His Grace accordingly moved,

* The reporter begs leave to state a fact relative to the conduct of the noble Viscount. Mr. Bate the same evening or the next morning, wrote a letter to his Lordship, desiring to know whether he made use of the words as they stand in the text. His Lordship, we believe, denied it; but be that as it may, he had a paragraph sent to the other ministerial prints, to contradict it upon authority the next day.

“ That

"That notice having been taken of some words spoken by Lord Viscount Stormont, one of his Majesty's principal secretaries of state, in the course of his argument, and thought to allude to certain noble Lords; and the question being thereupon put to him, but the said noble Viscount declining to give any answer—Resolved, That he be requested to answer on his legs."

Lord *Ravenstworth* said, he perfectly agreed with the noble Duke, as to the propriety of the motion; but believed it was not entirely regular, as the words spoken should have been stated as a ground for the resolution. He said, there were numerous instances in their Lordships' journals, where Lords had made use of improper expressions, upon which the House insisted on explanations; and in cases where the party, who made use of the expression, refused to answer or give satisfaction to the House, he has been ordered into the custody of the black rod; and he believed, upon more than one occasion, has been sent to the Tower.

The Lord *Chancellor* said, that proof should be made of the objectionable words, that is the species of proof which the words were capable of, such as the acknowledgment of the noble Lord; the assertion of the noble Lord who took down the supposed words; or the general sense of their Lordships.

In the case now under consideration, supposing the noble Duke's motion to be regular, nothing could be considered but the words first spoken. For his part, he was so dull as not to be able to perceive how these words could be said to apply to the noble Duke who had been so often alluded to in the course of the debate, and some other noble Lords, more than to any individual, or number of individuals, in the wide circuit of the whole kingdom. The noble Viscount, in the course of his argument, observed, that there was too great an intercourse kept up between this kingdom and our foreign enemies. Did any one of their Lordships doubt the fact? The noble Viscount states the nature of this intercourse to be a general one, by the way of *Margate* and *Ostend*. His Lordship has further said, that he meant not to apply it to any man, or body of men; and in this exact state the matter rests. For his own part, he could perceive nothing offensive; and as to what passed since, it was impossible, in his opinion, to make that a ground for the proposed resolution.

The

The Marquis of *Rockingham* said, the noble Viscount meant to trifle with the House, or he must have had some reason for making use of the expression he did. If the former, it was a most wanton and unjustifiable deviation from the established rules of debate, and rendered his Lordship's conduct unpardonable, by leaving the House without giving the explanation desired; if he knew any traitors, or treasonable correspondence going on between persons on this side of the water and our natural enemies, and concealed it, then he was guilty of one of the highest crimes known to our law, that of misprision of treason.

Lord *Camden* pursued the same idea, and maintained, that the ground had entirely shifted, since the first occurrence happened, which had been stated by the noble Lord on the woolsack. Reports had been spread relative to the supposed conduct of a noble Duke, as well as other noble Lords. One of his Majesty's secretaries of state, high in office and in special confidence with his Sovereign, complains of the improper intercourse between this kingdom and the foreign states now at war. A noble Lord rises and demands an explanation. The noble Viscount refuses, but tells you the channel by which intelligence is, or may be conveyed. What more? When he is asked, whether he meant this or that noble Lord; he says, he will not answer that question, though he tells you of the numerous mischiefs that have resulted, and may continue to result, from such a conveyance. He hoped, however, that the noble Viscount would upon further recollection think better, and more coolly; otherwise, though perhaps the noble Duke's motion might require to be new modelled, most certainly he would vote for the question, should it become necessary.

The Earl of *Shelburne* repeated many of his former arguments, attacked administration again, on the encouragement given by a late secretary of state [*Suffolk*] and his colleagues in office to Dignam; and said, he presumed, that finding themselves sinking, they wished to buoy themselves up a little longer by a forged plot. If the noble Viscount alluded to any correspondence of his, he put him at defiance to produce it. There was a man with whose correspondence and confidence he had been honoured, and whose confidence and correspondence might be well deemed an honour to the first crowned head in Europe [supposed to mean Doctor *Franklyn*] as a philosopher, a man of talents, a politician, and the steady and unalterable friend of human kind. It
might

might in the contemplation of some men, be treasonable to correspond with such a man; but he despised the folly, and abhorred the malice, that could construe a literary, friendly correspondence with such a man, as importing a design to overthrow the liberties of his country. His intimacy with that great philosopher, was at all times a matter of pleasing reflection to him; and in his estimation, would be deemed the highest honour which it was in the power of fortune to bestow.

Earl *Gower* said, he did not find himself exactly disposed to fall in with the arguments, which had fallen from either side of the House; at least the mode of applying them to the subject matter of debate, were far from meeting his ideas. Most clearly, if any noble Lord found or thought himself particularly pointed at in debate, and demanded an explanation, such demand was not by the usage of Parliament, deemed a request from an individual member, but a request made under the sanction and protection of that body to which he belonged. In this, as well as every other matter respecting the order of their Lordships' proceedings, it belonged to the House to determine how far such desired explanations were or were not proper; otherwise it would be impossible to conduct business in either House of Parliament. Offensive words spoken in debate, either reflecting on the House itself, or directly or indirectly charging any of its members, subjected the speaker to censure, if he did not either explain or retract his words; or if they imported personal accusation, if he did not pledge himself to prove the accusation made against the party. There was no doubt, but that this was the established usage of Parliament, time immemorial; and he so far agreed with noble Lords who spoke to the question, that there were precedents to support the usage extant, on their Lordships' journals. If this was agreeable to the constant mode of proceeding, all that remained to be done, was to see whether the conduct of the noble Viscount in the green ribbon brought him within the rule. What was the expression used by his Lordship, which gave rise to the present conversation? "That there already subsisted a greater degree of intercourse and communication between this country and France than he wished." For his part, he could see nothing, which the most fertile imagination could interpret into an oblique charge, against any one noble Lord present. But the noble Earl, who noticed the expression, having introduced

duced matter partly extraneous, in consequence of which and other concurrent circumstances, what before applied to no particular person or persons whatever, exceptions having been required and refused, that certain persons were not meant; the matter now had assumed in some measure a different appearance. But as the noble Viscount, by inference at least, says he meant no allusion to particular persons; he would with all due deference, recommend to his Lordship to say in one way, what he had more than once repeated in another, which would render the motion moved by the noble Duke unnecessary, and continue no longer to interrupt the debate.

Lord *Stormont* rose once more and said, he had not changed his opinion, as to the impropriety of calling upon him, to explain an expression which fell from him, when he first rose to speak to the original question; but as a proof that he had no intention to point at the noble Duke, or any other noble Lord, though he was not yet convinced, that he was bound to so explain his words, he could now with truth assure their Lordships that he had not.

In the course of the conversation, the motion made by the Duke of Manchester was withdrawn, on one idea, that it was irregular and informal, and would more properly come under their Lordships' consideration, after the original motion should be disposed of. The original debate was now recommenced.

Lord *Shelburne* condemned the general government of the army, the military arrangement, &c. in very strong terms; particularly that part of it, which related to temporary rank. He affirmed, that all regard for merit was totally forgotten; that some of the best officers in the service, were either neglected or ill-treated; and that every person who stood well with administration, no matter how little fitted by nature or habit to serve in the army, were put over the heads of some of the ablest and most distinguished veterans in the service. He scarcely went into a company that he did not hear an account of some fresh injury received by those deserving men, either in respect of arrangement of rank, or having some favourite put over their heads, to command them. That valuable officer, Colonel Musgrave, was, he understood, returning to Europe in disgust when his services were most wanted; because he could not serve under a person, that had, not long since, been a subaltern in a regiment of which he then had the command, as major. He

He mentioned several other particulars, of other deserving officers, who had been equally mal-treated, and who were in the same manner, retiring from the service in disgust.

He said, no man entertained a higher esteem for the noble Lord at the head of the staff than he did. He knew his private and public virtues, and revered them; yet he could not say, but he was much at a loss to reconcile his present conduct, to the opinions which a long and intimate acquaintance with the noble Lord, had enabled him to form. He was too thoroughly convinced of the noble Lord's professional talents, his great experience, and personal integrity, to ever believe, that the present military system met with his secret approbation. The noble Lord, he was sure, knew how mischievous such a system was, to give it his countenance, much less his support. He had himself, in his own person, proved fully how much it is the duty of government, at all times, to seek deserving men, to employ them, and reward them; and his Lordship therefore, would be one of the last, he had a right to presume, who would, or ought to promote, or abet any system which had for its principle an avowed intention of neglecting all military merit, and discouraging all those qualities by which he had recommended himself so successfully to his sovereign and his country, as to be now arrived at the head of his profession. Combining, therefore, what he saw with what he knew, he could no otherwise account for the insults daily put upon old, experienced, able, and deserving officers, than by supposing that his Lordship had no power; and that he only acted under the directions of others, whose ignorance and gross inability could only be equalled by the confidence and temerity with which they daringly, day after day, ventured to try the patience and forbearance of a ruined, insulted and betrayed people.

His Lordship then proceeded to speak more particularly to the question. He said, he had not seen Plymouth, in or about the period to which the present motion was directed; but he was not, however, a stranger to its real condition and state of defence, at the time the combined fleets of France and Spain appeared before it. He had conversed with several officers belonging both to the military and militia, who were there at the time, and assured him, that the place was quite naked and defenceless; and must have fallen, had the *enemy attempted it*. But allowing for argument's sake, that

the

the place from its natural situation, and the strength of its works, might be well defended; was it not universally acknowledged, notwithstanding the curious extract read by the noble Viscount at the head of the ordnance [Townshend] that if there was powder, which he believed not to be the case, that it was not distributed; that if there were balls, they did not fit the calibres; that the greater part of the guns were not mounted; that such as were had no handspikes to work them; and in the few instances where every thing else was to be had, the guns were rendered useless for want of wadding and ramrods; add to this, the total want of matrosses, there being but thirty or thirty-five in the whole, to manage upwards of two hundred pieces of cannon; and though a temporary supply of men from the ships of war, might be had to make up the deficiency of gunners; yet if the enemy had attacked the town both by land and sea, one of the two services must have been neglected; and either the ships or the land defences for want of proper persons to work the guns, must have been abandoned.

These were facts notoriously and universally known; they ought to be enquired into; and the authors of the imminent dangers then depending, be brought to exemplary punishment. He most heartily joined in the sentiments of the noble Duke, who spoke early [Duke of Grafton] respecting the folly and absurdity of attempting to impose upon their Lordships and the public, by pretending to dread that the present proposed enquiry, would be the means of conveying to our enemies, dangerous and improper intelligence. He could not well determine, whether more to despise or laugh at the folly and absurdity of such a flimsy pretext. He could tell the noble Viscount, what he presumed, he only affected to be ignorant of; that we had not a place of strength within the kingdom, of which our enemies had not the most accurate plans. He had the honour of occupying a post in administration himself, which of course gave him some claim to speak with confidence. When he filled the post of one of his Majesty's secretaries of state, he had opportunities of being fully acquainted with the subject he was now speaking of. And he believed the noble Viscount, could not have so much mis-spent his time, in the character of a minister at a foreign court, as not to recollect, that one of his principal duties, after being in possession of the latest accounts, was to use every means in his power to obtain a faithful state of all fortresses, arsenals, &c. within the kingdom.

dom. The noble Viscount well knew, that this was one of the first duties of a minister, resident at a foreign court. He should forbear to enter into particulars, because it would be entirely unnecessary to state them to the noble Viscount.

After speaking to several other points of less consequence, he said, he should sit down, wishing to leave this impression on the House; that the motion made by his noble friend near him, after a full and long discussion, had received no opposition, but upon two grounds. The first, urged by the noble Viscount in the green ribbon, upon the supposition, that if the motion should go, it would be the means of conveying improper intelligence to our enemies; the other objection was started by a noble Viscount [Townshend] in a more direct manner; for it expressly contradicted the facts on which the motion was founded. As to the former of these, he was certain there was not a noble Lord who heard him, that did not scout the idea; and the latter, instead of being an argument against the motion, evidently pointed out the necessity of immediately setting on foot the proposed enquiry. For what was the fact? Sir David Lindsay, who commanded the troops destined for the defence of Plymouth, makes frequent representations to the senior officer on the staff, acting as commander in chief, respecting the defenceless state of the place, both previous to and after the enemy appeared before it; those representations are totally disregarded, or nothing is done in consequence of them, which at length induced Sir David Lindsay, to desire permission to resign; the consequence of which was, that his resignation was accepted. The matter then before their Lordships was fairly this; whether the commander of the troops, or the writer of the extract, deserved most credit? Which could not be known, without the proposed enquiry was instituted. It was not a mere question of curiosity, to know, which of the officers was in the right; but it was a question of the first importance and consequence to the well-being of this country, to know, whether Plymouth was or was not in a state of defence when the combined fleets of France and Spain appeared before it in August last? On the whole, in his opinion, both the arguments urged against the motion, went strong in favour of it, and as such, it met with his most hearty concurrence.

The Duke of *Chandois* said, that nothing but the fullest conviction should have induced him to declare his sentiments,

ments on the present occasion. That he should neglect the duty he owed his Sovereign and his country, if he gave a silent vote, when he was determined to give that vote against administration.

He had hitherto supported their measures because he thought them right in themselves, though he was far from approving of the means adopted for carrying them into execution; but after such a series of blunders, and misfortunes in consequence of those blunders, it was impossible that they could be longer entitled to his support.

His Grace, after justifying his former conduct, and endeavouring to reconcile it to that which he meant hereafter to pursue, said, he was firmly persuaded, that Plymouth was in a defenceless state; that it came confirmed to him from every quarter, from the friends and opposers of administration indiscriminately; and until he heard the extract read by the noble Viscount, never heard that the fact had been so much as controverted out of that House. It was notorious beside, that Portsmouth, considering all circumstances, was pretty nearly in the same condition. His residence was in the country in which Portsmouth is situated; he was near it at the time the combined fleets were off Plymouth; and there was, he knew, a very inadequate force for its defence, had the enemy ventured up the Channel to attack it. The governor [General Monkton] did every thing that an able and active officer could do, to supply by care and attention what was wanting in effective force; but he was satisfied in his own mind, that, that very important fortress, in case of a sudden attempt, would have run a great risk of being destroyed, and with it the navy of England most probably have fallen.

He said, he supported the King's ministers hitherto, nor had he changed his principles in any respect. He had been always of opinion, that America formed a part of the British empire, and of course owed obedience to the British government: he meant a constitutional obedience, regulated by law, and sound principles of political connexion. When America attempted to throw off that obedience, and to sever herself from the parent state, he thought it was the duty of Parliament to interfere, and exert itself; and to sanction measures which held out a fair prospect of inducing our subjects, on the other side of the Atlantic, to return to their

duty. Measures were accordingly submitted to, and adopted by Parliament, which had uniformly met with his support; but whether through the inability of those who planned them in the first instance, or from those who were appointed to carry them into execution in the second, or from a mixture of both, he could not pretend exactly to say; but so it happened, that those measures, in a greater or less degree, successively failed; and notwithstanding the immense sums that had been spent, and blood spilt in the contest, we found ourselves on every side, if not actually defeated, uniformly baffled in our attempts.

In the course of this struggle, between us and our subjects, some occurrences fell out which bore a very serious appearance, and threatened the most fatal consequences. First, France broke with us, and in the height of the contest with France, and a third part of our own subjects, Spain threw her whole weight into the scale, already too heavy against us. The difficulties these circumstances presented were alarming, if not insurmountable. It was not easy to say, what was best to be done; but if this country was to be saved, it was clear to him, that it would never be saved by the present ministers. He pretended to little political knowledge. He was conscious of his own inability to advise at such an arduous and trying moment; but his mind was impressed with the most full and deep conviction, that this country was not to be snatched from the verge of destruction by the counsels and counsellors to whom she was entrusted.

The sentiments of affection, respect, and loyalty which he retained for his Sovereign, the regard and esteem which he bore towards some of the present members of administration; and above all, as including every thing dear to him, the pressing necessity there was for the most perfect unanimity, were all such strong reasons with him (unanimity being so essential to the safety and preservation of the state) as rendered it extremely irksome to differ from the King's servants, or to seem to throw impediments in the way of government. He trusted, therefore, thinking and seeing matters in the light that he did, that the noble Lords in administration who heard him, and their friends, would give him full credit, when he solemnly affirmed, that nothing short of a full persuasion, that the same measure directed by the same men, if adhered to, would end in the ruin of this country, could have prevailed upon him to rise upon the present occasion. He knew too well his own incapacity to discuss such matters; he was aware of his personal insignificance; conscious of this
he

he rose with diffidence and caution, and he hoped he should be believed, that he had troubled their lordships merely in the discharge of a call of duty.

If the enquiry proposed by the noble Duke who made the motion was to be followed by the bad consequences predicted by the noble Viscount in the green ribbon, that of conveying dangerous or improper intelligence to our enemies, he would most assuredly be one of the first to rise in order to declare his dissent; but as he was not convinced by any thing which fell from the noble Viscount, that such consequences would arise, and as he thought on the other hand, that great benefits would be derived by preventing and putting ministers hereafter more on their guard, he was for agreeing with the noble Duke's motion.

Lord *Ravensthorpe* spoke on the same side, and described in very forcible terms, the neglected and defenceless state of the north eastern part of the kingdom, where he resided. He spoke of the affair of Paul Jones, his infesting the coasts, and keeping the inhabitants, from Hull to the Firth of Forth, for months together, in continual alarms; observing, that during the whole time that celebrated freebooter was committing depredations on our coasts, our ships were lying idle in Portsmouth harbour; and when there was a force sent in quest of that pirate, it was such a force as only served to add to the strength of our enemies, and diminish our own. His Lordship went pretty much into a detail, relative to the present system of government, and the bad effects which were every day more felt in consequence of it; in the course of which, he introduced a narrative of the several measures proposed by ministers; and adopted by Parliament, since the commencement of the American war; contending that they produced the events, as they arose. The Boston Port Bill created the discontents; those discontents, the non-importation agreement; which ended in hostilities, on our part, and resistance on theirs. Their inability to contend singly with us, drove them to the necessity of declaring themselves independent, in order to procure alliances, which at length involved us in a French, and finally in a French and Spanish war.

His Lordship concluded a long speech, with paying some compliments to the noble lord at the head of the staff, though truth obliged him to add, he said, that he was either unfit for the high station he now occupied, or was prevented from acting agreeably to his own judgment. In either event the service suffered; the country was left defenceless and naked;

naked ; and the government of the army, like the government of the state, was reduced to a mere system of faction, favouritism, partiality, public wrong, and personal injustice. Such being his ideas, he was most zealous, he said, for going into the enquiry, and as such, the noble Duke's motion met with his most full and hearty concurrence.

Lord Temple spoke with great warmth and energy, in favour of the motion, and was remarkably severe on the conduct and professional abilities of the noble Lord, who acted in the capacity of commander in chief, or senior officer upon the staff. He said, it was with difficulty he could form an opinion, whether or not most to condemn his neglect or incapacity ; or his notorious partiality in discharging the functions of his office. Of the first, he could furnish an anecdote, which came to his knowledge, that he believed was not to be paralleled in the military annals of any country. Of the latter, he could produce an instance, which happened in his own family, to a very near relation of his [his brother Mr. T. Grenville] which would let their Lordships into the noble Lord's character, more than any general declaratory charges ; because, what he was about to state, consisted of facts, which the noble Lord himself could not deny, because he knew them to be true.

The anecdote was this : when the combined fleets of France and Spain were off Plymouth, the General who commanded at Coxheath, wrote up to the noble Lord, at the head of the staff, for instructions how to act, in case the enemy should attempt a landing ; and here it was worth observing, that the noble Lord acting as commander in chief, though little more than thirty miles distant, never sent a single scrap of paper to the General. The answer given by the noble Lord to the General's letter was he believed unprecedented. Their Lordships might be curious : He would tell them : " That the General might act as he thought proper, or according to his own discretion." His lordship had wrote another letter of the same tenor, the day preceding, but it had not come to hand, at the time the General wrote. That this was not hearsay, he could upon his honour assure their Lordships. For then having the honour of commanding a battalion of the Bucks Militia, forming a part of the advanced encampment at Rye ; and the officer who commanded the advanced encampment, having wrote to the General at Coxheath for instructions, the answer he received was, the noble Lord's letter enclosed, which letter was read in his presence, and in that of all the field officers in the General's tent, immediately upon

upon its receipt. Before it was opened, every person was burning with impatience to learn the contents : When it was opened and read, there was a smile visibly painted upon every countenance in the tent. It might be presumed, that it was done only to create a laugh, the fact was otherwise ; for he was certain, that the officer for whose perusal it was sent, by no means foresaw, that the letter would have been productive of so ludicrous an effect.

The other matter he alluded to carried with it a very different complexion. A near relation of his [his brother, Mr. Grenville, member for Bucks] had the rank of an ensign in the Guards. When a noble Duke whom he would take the liberty to call his friend [Rutland] offered to raise a regiment, which offer after several difficulties having been thrown in the way, was accepted, he offered his relation a company in the regiment, and accordingly proposed him to the commander in chief, the noble Lord at the head of the staff. His Lordship immediately objected, as it was contrary, his Lordship said, to the rules of the service, to admit an ensign to be appointed to a company. The noble Duke informed his relation of the objection made. This induced his relation to purchase, or treat for the purchase of, a lieutenancy, in order to qualify him for his intended preferment, in consequence of which, he treated with a lieutenant, who wished to sell out ; and the bargain was on the point of being struck, when the noble Lord raised another objection. He said there was an ensign in the regiment ready to purchase, and consequently the treaty was at an end. His relation however made one effort more. He found out a lieutenant ready to sell, where there was no ensign able or willing to purchase. This circumstance was communicated to the noble Lord, who conjured up a third objection, created merely to put a negative upon his relation's intended promotion ; for here too, it was discovered that although there was no ensign in the regiment who chose to purchase, there was nevertheless, an older ensign in the army than his relation, who would.

This was a narrative which called for no aid of colouring, or heightening, marking, or aggravating the circumstances. His relation was an ensign in the guards, the next step therefore, he must get, would be in point of rank, that of captain ; yet though Mr. Fullarton, who never served a day, was appointed lieutenant-colonel ; though another person was appointed colonel from being a captain ; [Mc Cormick] though a third [Keating] was appointed likewise to the same rank from being only a subaltern, and in both instances, to the com-

mand of regiments; though as the noble earl [Pembroke] who seconded the motion observed, a fourth failed in his application for a majority, but unknown to him, and without his previous consent made a lieutenant colonel: notwithstanding all these instances, he said, it was well known that the brother of a noble Earl [Major Stanley] who was recommended by the town of Liverpool, could not obtain a single step after three vacancies; that the son and heir apparent of that great statesman, the late Earl of Chatham, to whom his country stood so highly indebted, after having served in America and elsewhere since the commencement of the war, was refused to be appointed a major in the same regiment, and, although several of the first characters in point of rank and weight in this kingdom [Dukes of Richmond and Manchester, Earl of Derby, &c.] who had offered to raise regiments, were not only refused, but treated with the greatest contempt, and not thought worthy of an answer. Such being his worthy relation's treatment, the event took place, which might be well expected. After having chosen a profession for life, feeling himself thus insulted, marked out, and proscribed, on account of the political sentiments of his friends, however mortifying to him, he relinquished a profession which he could no longer pursue, consistent with the principles of a man of honour.

His Lordship after speaking very fully to the question; said, he would vote for the motion on more accounts than one, as he had not a single doubt in his mind, that if proceeded upon, it would come out in proof fully to their lordships' satisfaction, that either the noble Lord was totally unequal to the filling the post he, at least, nominally enjoyed, that of commander in chief; or that his Lordship was a mere cypher, or instrument acting under the controul and direction of others.

Lord *Fauconberg* in answer to several allusions which had been made to temporary rank, and the partiality shewn to persons who stood well with ministers, said, he thought it extremely cruel to include every person indiscriminately under one general censure, who had stood forth at the present perilous crisis for the honour of his Sovereign, and the defence of his country. He could say with confidence of himself, that he stood exactly in the predicament described, and affirmed that there was nothing in the power of a court or ministers to confer, which could bias him in his public or parliamentary conduct. He had offered his services to his sovereign, at a trying moment; those services were accepted of,

of, in consequence of which, he raised a regiment, at a very considerable expence, and that with an expedition little known in the service. At present, in return, he enjoyed the paltry pay of a colonel, and with it temporary rank. How cruel was it, therefore, to charge him with being preferred to the injury of veteran officers, or to suppose, that persons who thus stood forth at a very great expence, had done so merely to grasp a shadow, for so it must be, if what was received was balanced against what was parted with. And he might add, that how much soever he revered his sovereign, and admired his public and private virtues; he lay under no obligations to ministers or government. After a good many repetitions of the same facts, cloathed in different words, he said, he would give his vote against the motion.

Lord *Amherst* rose to reply, chiefly to what had fallen from the noble Earl, who spoke lately [Earl Temple] the noble Earl had arraigned his conduct in very severe terms respecting a matter in which a near relation of the noble Earl's was concerned. As to the general state of the facts they were tolerably correctly stated; but in his opinion, admitted of a very different conclusion from that drawn by the noble Earl. If the rule of service was such as had been described, it was a rule equally applicable to every man; consequently, no man had a right to complain of a hardship. The honourable gentleman alluded to was an ensign; the rule forbid him to purchase, if there was an ensign in the regiment who would purchase. The honourable gentleman was a young ensign: another rule of service says, that the oldest ensign in the army, if there be none in the regiment willing to purchase, shall, if agreeable to him, have the preference before a junior. These were the rules complained of; if they were improper, that was clearly another question; but so long as they continued to be considered as established regulations, it was his duty to see that they were faithfully and punctually obeyed.

The noble Earl, and other noble Lords in the course of the debate, had talked of partiality, concerning temporary rank, &c. To these charges it was difficult to furnish or find answers, because they were brought forward at different times, and urged in various shapes. As to giving temporary rank or raising officers suddenly from inferior rank, he was as much against it in the abstract, as any noble Lord who censured it; but it was in his opinion become not only a justifiable, but a necessary measure. It could be only supported on the ground of necessity, and that necessity actually existed. Augmentations were wanting; and they could

not

not be procured in the ordinary way; if they could, he certainly would prefer filling up the regiments already formed to appointing additional officers, to new levies; but the experiment had been made, and it was found impracticable, in consequence of which, the offers of raising regiments were accepted of; and the same necessity that obliged ministers to accept of those offers, induced them to adopt the substitute of temporary rank. Whether those measures were the best, he would not undertake to say, but certainly such promotions were not unprecedented. The late Marquis of Granby was appointed a colonel in the first instance, and on the ground of that promotion rose in the army. There were many other instances of other noblemen, as well as the noble Marquis, who having raised regiments during the late rebellion, gained rank in the same manner, [meaning the late Dukes of Bedford and Kingston, and Lords Sandwich, Halifax, &c.] yet, he never heard that any complaint was made of injury having been done to the service thereby; and if either was reprehensible, those sudden promotions accompanied with permanent rank were much more so, than where they were accompanied only with temporary rank.

The noble Duke who made the motion, the noble Earl who spoke lately, and several noble Lords complained much, that certain propositions for raising regiments and corps were rejected, while others were accepted of. For his part, he did not pretend to give an answer to the assertion. No application had been made to him, and if there had, he would not have acted upon it, but have transmitted or laid it before the King, whose pleasure he would have reported. As to any thing else, he had nothing to do. When his Majesty's pleasure was made known to him, it was his duty, so far as lay in his power, to carry it into effect. As to any particular part of his conduct, for which he was really responsible, he was ready to have it as closely investigated as possible, and to submit it to their lordships judgment; but he hoped, that noble Lords, when they gave general opinions concerning his conduct, would endeavour to distinguish between what he transacted as from himself, and what it was his duty to do in compliance to the orders he received from others. He repeated again, that he would cheerfully abide the event of any enquiry, that might be made into his conduct, flattering himself with the expectation that it would be found to be perfectly justifiable.

He said, that Sir David Lindsay had resigned at his own special request, and whether he had not, but was dismissed,
he

he did not consider himself as accountable either way. As to the defence of the town of Plymouth, the noble Duke who made the motion, stated, that on a former day in debate he said, that he had done every thing which depended upon him; and that if the place was not in a state of defence, it was not his fault: and that consequently, this was shifting the blame off his own shoulders, and throwing it on Sir David Lindsay. Allowing the words to have been correctly stated; he could not perceive the justice of the conclusion; for they did not impute any blame whatever to Sir David; besides if he remembered correctly what he said, for he was little accustomed to speak in public, and was therefore liable to deliver his sentiments inaccurately; it was, that it was impossible for him to be every where; that he had given his orders; and that if they had not been obeyed, it was not his fault; so that, that expression, so far as it alluded to Sir David Lindsay, left the matter just as it found it. He meant not to criminate any person, what he said was in justification of himself, and was spoken conditionally; for if Plymouth was not in this defenceless state it was represented to be, which he believed was the case; the censure could not fall any where.

Lord *Townshend* spoke again to the question, and in answer to some observations which fell from the noble Duke who made the motion said; he did not mean to contend, that sailors taken aboard a ship were as expert in managing guns on shore, as men bred regularly to the profession of gunnery; but he was ready to maintain, that seamen were very useful in forwarding and assisting in operations on shore, particularly in the constructing of batteries, and working the guns afterwards. He remembered it to have been the case at Louisbourg, and at Quebec, and how very useful the sailors were at Bellisle, and at other places where he served during the late war. This was all he meant, and was convinced, that had Plymouth been attacked, the crews of the ships would have proved of infinite service in assisting to erect batteries, fighting and managing the guns, &c.

Whatever doubts might have been entertained of the extract, which he read out of Major Anderson's letter; he believed no man of any description or rank in the service was more respected for his skill in his profession, and personal integrity; but whether he was inaccurate, or might have depended upon the information of others, which could hardly be the case, though the argument held good
equally

equally on both sides; he was clearly against any enquiry; it would be a waste of time at present, so peculiarly precious; could answer no good purpose; and might possibly be productive of much evil.

His Lordship spoke to a vast variety of particulars; and dwelt a considerable time upon the subject of temporary rank, and said it was the mere creature of necessity, for in every other light it was clearly injurious to the service.

He confessed, if troops could be spared, that the force stationed for the defence and protection of Plymouth, was by no means adequate in case the enemy had effected a landing; but upon this fact a question fairly arose: could a greater force be spared, considering the other services that were to be provided for? The two great encampments, the advanced camp, the forces in the north-east and western part of the kingdom, &c. If more could be spared, there would be good ground for blame, but as he believed, more could not with safety, he was of opinion, that no blame could or ought to be imputed to the commander in chief.

Earl *Waldegrave* rose, and was observing in allusion to what had fallen from the noble Lord, at the head of the army, that he hoped no part of the blame was imputable to him, and that he was ready to attend his duty whenever called upon—coming to a full stop; and after making three or four efforts to speak, sat down, with assuring their Lordships, that he meant (or wished) not to give a vote either way.

The Duke of *Richmond* made a general reply, recapitulating and answering every material argument almost, which had in the course of the debate been urged against his motion. [It will be totally unnecessary to travel after his Grace over this beaten ground. It will be sufficient therefore to advert only to matter really new, or what had been before but slightly touched upon or mentioned by him.]

In reply to the noble Lord at the head of the army, his justification, he observed, proved the very ground for censuring his conduct, for the charge made against him was, that he had either established the rules or regulations which had taken place in the army, and they were his own; or that he approved of them, though devised by others. On both these suppositions the charge was substantiated. There was but a third contingency, which was, that he neither advised the present regulations, which administered the
cause

cause of complaint alluded to, nor approved of them; but that disapproving of them, which seemed to be the drift and tendency of the noble Lord's arguments, he acted as an instrument in the hands of others, and daily assisted in the carrying into execution, what he neither advised or approved of. This, if possible, was more unpardonable, than either of the other possibilities; because it supposed only in one or other of the two former events, that he acted upon principle, and agreeable to his own sentiments and wishes; whereas in the latter, the fair presumption was, that he acted directly contrary to his own conviction.

The noble Lord said, that the letters from those who offered to raise regiments were not directed to him, but were office letters, which were laid before the King, and upon which, as soon as the King signified his pleasure, his Lordship it seems had no more to do than to obey. If this state of the case might be depended upon, the noble Lord did little more than the discharging the duty of a common messenger. The papers were all transmitted to, or laid before his Majesty; his Majesty took the advice of his council upon the subject; the result of which council was communicated to his Lordship, and then the noble Lord's duty commenced, that of carrying into execution what had been previously determined by the King's confidential servants. This was a most extraordinary mode of governing the army at any time, particularly during a time of war, and a war too of the most extensive and hazardous nature; such a one, as he was bold to say, this country never before waged. He thought it somewhat uncommon, however, that the noble Lord should accept of the emoluments of commander in chief, the pay, number of aid du camps, &c. and yet, by the noble Lord's own unqualified declaration, it did not appear, that his duty or employment amounted to any more than causing his Majesty's orders to be implicitly carried into execution.

The noble Lord had retracted his words, or rather explained thereby, saying, that if Plymouth was in a defenceless state, it was not his fault, for he had given his directions, but pointed at no persons; because he did not really think the fact so stated to be true. This was a very pretty method of explaining indeed! "I do not believe there was any neglect, but if there was, the fault was not mine." To bring this language to the test, and try it at the standard of truth might be readily done; first, by seeing whether blame

was

was due any where; secondly, whether that blame lay upon the noble Lord, or ought to be imputed to others. But after what had already passed in the course of the day, it was easily foreseen what would be the fate of this motion; consequently, the noble Lord might speak with confidence of his being prepared to meet a contingency, which he knew would never take place. This was not the first time he found it necessary to express very freely his sentiments, respecting the professional conduct and abilities of the noble Lord; and every day's experience confirmed him more and more in an opinion, he early entertained on the subject, which was, that he was totally unfit for the high post he filled; or if he had any talents, that they were rendered perfectly useless by his unlimited subserviency to the views and wishes of administration. The noble Earl who spoke lately, [Temple] had furnished one striking instance of the noble Lord's total incapacity; and he believed many more of a similar nature might be adduced. In the county where he lived, the noble Lord sent an order to drive it, in case of necessity, by ordering the cattle, forage, horses, waggons, and all sorts of grain, &c. to be removed to certain depositories, in order to distress the enemy, and if they must have them, to put them under the necessity of fighting for them; yet such was the confused and contradictory orders issued by the noble Lord on the above occasion, that in one sense, if carried into execution, they would effectually serve the enemy; and in every other they were totally unintelligible. As soon as the French rescript was delivered, he pressed the noble Lord to take some necessary measures, lest our enemies might attempt to invade us, and every possible precaution in his power to put the country into a proper state of defence, particularly the south-western coasts of the kingdom. The noble Lord near him, [Shelburne] repeatedly recommended the same. He had himself strongly urged to his Lordship in that House, the necessity of paying particular attention to Plymouth, which he described as one of the great keys of the kingdom; yet at the end of fifteen or sixteen months, no one step had been taken, and Plymouth was precisely in the state in August last, when the combined fleets appeared before it, that it was in March 1778, when the French rescript was first announced in that House. He had so many proofs of his Lordship's neglect, incapacity, or want of power, that he thought it needless to mention them; yet two which appeared

peared in the narrative he had read that day were so glaring, that he could not help once more to point them out to their Lordships. By the narrative it appeared, that Sir David Lindsay was appointed to the command of the troops in the month of April 1779; that he staid almost a month in town, waiting for his Lordship's orders how to act; and at length was obliged to repair to his command without any; again, when the noble Lord went down to see Plymouth, previous to the arrival of the combined fleets off our coasts, all he did, was to view the works and place; never consulting, or advising, or instructing the person who was to defend it; but departed, leaving only a note consisting of a few lines, and containing nothing but general directions, which might have been well spared, as they contained not a tittle on which Sir David could have acted with safety or precision.

His Grace then turned to some matters which fell from the noble Viscount [Townshend] who spoke lately. The noble Viscount spoke much in favour of the great use which might be derived from the crews of the ships in the harbour of Plymouth in case of an attack. Though he had no preterice to cope with an officer of the noble Viscount's long experience and tried services, he did not hesitate to differ from, and by joining issue with him, appeal to the first military characters in this country, that seamen would not, nor could answer the end of matrosses or gunners in defending a fortress. He perfectly agreed with the noble Viscount, that in constructing and raising batteries, in hauling up guns, in short, in respect of every thing which related to the moving, or carrying and collecting materials for carrying on operations on shore, he entertained no doubt how very useful seamen had proved themselves upon various occasions in the course of the last war, and would most probably in this when an opportunity offered; but when the noble Viscount said, that they were equal to the defence of a town, and to the directing and pointing of guns in a regular way, his Lordship most clearly could not have drawn his conclusion from what he saw himself in the service, nor any experience which would or could bear him out in such an assertion. Though far from possessing the military knowledge of the noble Viscount, he too had seen some service, and that species of service which particularly applied to the present argument. He remembered during the embarkation of the troops at St. Cas, that the frigates

frigates and sloops of war were ordered in as far as possible, to cover the embarkation of the troops in the flat-bottomed boats, yet though it was a calm day and unruffled sea, he well recollected that the fire from the frigates, bombs, &c. went wide of the enemy, and when it happened now and then to take place, did as much mischief to our own troops as to those of France; in so much, that an order was given at length to cease firing. While he was up, he could not avoid mentioning an instance which lately came to his own knowledge when quartered last summer down in the west. He went aboard a cutter in the neighbourhood of Dartmouth, to take a view of that part of the coast to see where a landing might be effected; and upon a particular occasion, having a curiosity to try the skill of his marine gunners, he desired that they would point the gun at an old barn which was near the shore, situated on a high hill: they did so, and after repeated trials, the ball took place in the hill on which the barn stood, or went, for aught he knew, some hundred yards on one side or over it; the shot, however, never reached the barn. But indeed, if his long experience had not long since confirmed him in an opinion early entertained, that seamen were not calculated to direct and work guns in a battery on shore, the noble Viscount's own very able arguments to prove that they were not, would have been sufficient to have made a perfect convert of him. The noble Viscount with his usual ability, incontrovertibly proved, that neither by habit, experience, or a necessary science of the art of gunnery, were seamen at all calculated to answer the purpose or use of men regularly brought up and trained to the profession.

The noble Viscount had likewise more than once described the shore to the westward of Plymouth to be so steep and bold, as by nature to be rendered inaccessible, unless attempted by a very superior naval and military force; observing, that there was not a single place where the enemy could land near enough to the town to force it, or take it by surprize; and to give greater weight to the observation, added, he had been lately to visit the coast thereabouts. He could not doubt the noble Lord's words, nor his zeal in the service: but it hurt him much to totally differ from the noble Lord, as it was with great diffidence he ventured to dissent from so great an authority! But he had viewed the vicinities of Plymouth with a military eye, as well as the noble Viscount, and

and upon that view was intitled to affirm with no less confidence, that there was an inlet or bay just below or westward of Maker Tower, where a landing might with facility be effected, unless opposed by a suitable land force; and he could further add, that from the place of landing alluded to, to the height which commanded the town and docks of Plymouth, there had not been at the time that the combined fleets appeared before it, a single post taken, or a single work thrown up.

His Grace after controverting almost every syllable which had been advanced by the noble Viscount, to whom he was alluding, took notice of several expressions, which fell early in the debate from the noble Earl at the head of the admiralty, relative to the discontinuance of the boom proposed to be thrown across the mouth of the channel, which had been countermanded after it was half made, by the express directions of the first lord of the admiralty, delivered by Captain La Crass, contrary to the united opinions of the commander of the land forces, Sir David Lindsay; the admiral of the port, Lord Shuldham; and the commissioner of the dock-yard, Mr. Ourry. He again contended, notwithstanding the extract of the letter read by the noble Viscount, and his Lordship's positive assertions, as well as those of the first lord of the admiralty and the noble lord at the head of the staff; that if there was powder and ball in the garrison, it was not distributed, so as to answer the purpose of a sudden defence; that the guns in the batteries were not mounted; that there was neither handspikes, wadding, or ramrods; that the only battery which could best answer the protection and defence of the channel, was pointed the wrong way; that there being no governor on the spot, the command of course became so much divided, as to be productive of much confusion; that besides this, no precautions had been taken since the commencement of hostilities with France, by throwing up works to supply the want of numbers; and in fine, that the place on the 17th of August last, was not in a condition, either in respect of troops, posts, or newly erected works, to resist the attack of an enemy.

Lord *King* (a maiden speech) rose and spoke in favour of the motion: condemning the conduct of ministry, in very strong and pointed terms, and attributing in detail, every particular misfortune which befel this country, since their entrance into power, to their treachery or incapacity. He

said they had given the most pernicious counsel to their Sovereign; that they had betrayed him, and deluded the people into a destructive war; and were in a paroxysm of madness and despair, hurrying on both to certain ruin. For his part, he was at a loss to account for the conduct of those, who could continue to confide in men who had deceived them year after year, still holding up some new species of delusive hopes, which each succeeding year proved the fallacy, folly, or absurdity of. It was not a difference of opinion on speculative notions, of what was best to be done, or what option it was best to take, between measures standing nearly in *equilibrio*. Speculation had long since ceased to operate; experience had proved the abilities of the men, and the folly of longer confiding in them. The support they received from a decided majority of that House, answered with him, the whole process of mathematical demonstration, and convinced him that the petitions of the people, and the votes of the other House declarative, of the existing undue influence of the crown in Parliament, was as evident as any one proposition in Euclid. He said, the motion made by the noble Duke, consequently met with his hearty approbation.

[A long altercation ensued between Lord Townshend and the Duke of Richmond, which closed the debate, of which the following is a short abstract.]

Lord Townshend replied to the noble Duke who made the motion, and said he never meant to assert that Plymouth was invulnerable, or, in the event of an attack that it must not submit to a superior force. That there might be a landing place at the spot described by the noble Duke, he did not doubt; but still he contended, that with any force the enemy had, or could spare, a descent might be at least impeded, and the progress of the enemy prevented after they had made good their landing, till the General was in force, or his strength augmented by detachments from the eastward. The noble Duke misconceived him in some other particulars. He understood him to say, that the country in the neighbourhood of Plymouth, was so naturally strong, that a very small body of troops would be able to defend the land approaches to the town, against a very large one. Nothing was farther from his intention. He was persuaded of the contrary; what he meant to state was, that the ground was such, that if the positions were judiciously taken, posts occupied, and field-works thrown up, a force comparatively

ratively small, would be able to defend themselves till troops were sent to their assistance. In like manner, the noble Duke had supposed him to maintain in argument, that seamen or sailors were as expert at doing duty in a battery and pointing the guns, as gunners and matrosses regularly trained to that service—far from it: the sense in which he wished to be understood was, that they would answer on the spur of the occasion; and in his opinion, the very marching regiments might be soon trained up to the use of great guns, so as to be rendered extremely serviceable, when matrosses could not be had. He understood the experiment had been afterwards tried, and that the men grew in a short time tolerably expert. It was to be lamented, that there was unfortunately a very great scarcity of artillery-men, but he assured their Lordships it was not to be attributed to any want of attention, either in the commander in chief or himself, whose more peculiar duty it was, to take care that a sufficient supply should not be wanting; for the truth was, that the numerous distant and extensive services had drained the kingdom, and weakened of course the home defence; and that the service was of such a nature, that the want could not be easily supplied. There were on the American service alone upwards of 1300, besides nearly 1000 in Gibraltar, Minorca, and the West Indies; so that if they were wanting at Plymouth, there was no blame imputable to any one; it was not a fault, but a misfortune arising from the nature of the war we were engaged in.

The noble Duke had rested his arguments chiefly on the narrative. That narrative was contradicted in several material points in the extract of the letter which he read. It was not his intention to call the veracity of any gentleman's state of facts into question, neither did he believe it was that of the noble Duke. In this state of things, as well for the reasons before given, as what he saw and heard himself on the spot, he could not be persuaded, that Plymouth was in any real danger at the time the combined fleets appeared before it in August last; and though it were otherwise, he thought the present motion, if carried, would be both unnecessary and improper.

Another principal reason urged by the noble Duke in support of the motion was, that though it should have no other effect, it might operate very beneficially, in urging administration to make amends for their former

supposed inattention and neglect. This he could affirm from his own knowledge, was become totally unnecessary, by the vigilance and unceasing assiduities of those, who had it in orders, to put that fortress in a state of the most formidable defence. The miners from Cornwall were immediately employed in throwing up works, and constructing lines, and the same was still continued; and if he might venture to give an opinion as a professional man, they appeared to him, to be by much the best designed, and ablest executed, he had ever in his life beheld, when the design should be fully finished, and which then seemed to be in a rapid progress towards completion. On the whole, therefore, whether he considered the state of Plymouth, at the time the enemy appeared before it, the impropriety of enquiring into an uncertain neglect, or an idle danger which never took place, or the subsequent conduct of those who had provided for its future protection, he had every reason for declaring his intention, of giving a direct negative to the motion made by the noble Duke.

The Duke of *Richmond* rose for the last time, and concluded the debate. He observed, that his Lordship at first seemed ignorant, though he had visited the coast, that there was a place where an enemy might easily effect a landing near Maker Tower; and when his Lordship acknowledged it, said it might be easily defended. But after his close enquiries, forgot to add, that not a single man, or a single gun, had been sent, or could be spared to command the landing place. The noble Viscount had in like manner confessed, that the country was not so strong by nature as to obstruct the progress of the enemy, unless posts were taken and field works thrown up. He would ask the noble Lord, if he heard when at Plymouth, that any such posts had been taken; or whether he had seen the vestiges of any land redoubts, lines, or field works that had been lately thrown up? If not then, surely the noble Viscount could not be serious, when he defended the noble Lord at the head of the staff, not on what had been done, but what might have been done.

The noble Lord had, with great reluctance, given up his marine artillery men, and only said, that they, as well as the marching regiments, might be rendered serviceable, when trained. Most certainly, when trained they might; but the question here was not what discipline and experience might effect at a distant day; but whether sailors, soldiers,
and

and militia men, taken fresh from aboard ship, or from the drill, were capable of managing batteries on shore? If the noble Viscount could not go that length, all he said went for nothing; for then it would come round to the very point from which he set out, that the working and pointing of upwards of two hundred pieces of cannon, required some better hands, than those of thirty-five invalid gunners, assisted by the ships' crews, among whom he might safely say, though composed of four or five hundred, there were not one fourth who knew how to point a gun, nor twice that number, who knew how to assist in working it, though as he observed before, there should be at least a thousand men to work and manage them.

The noble Lord at the head of the staff; and the noble Viscount had both confessed, that the land force at Plymouth, was totally disproportionate to its defence; but that without injuring the service in general, the want could not be prevented; and that the artillery service was remarkably deficient. He would make a few observations on both those concessions.

Upon the want of matrosses and the cause of it, he would just observe, that nearly one half of the whole four battalions were serving in America, which afforded him one additional reason, for execrating from his heart, that diabolical, destructive, unnatural American war; a war, which had already cost upwards of fifty millions of money, and fifty thousand lives; and would probably cost as much more, besides the loss of one third of the empire, before its conclusion: and he could not help asking ministers with a mixture of indignant resentment, whether, if Plymouth had fallen, and with it our naval power, which must most undoubtedly have been the case, what satisfaction would it be, when ministers should be questioned how it happened, that the defence of Plymouth was entrusted to thirty superannuated invalids; that indeed one half of the whole artillery corps of this country were on the other side of the Atlantic, making war on our own subjects and brethren, with the romantic, absurd expectation, of reducing them to unconditional submission?

The other point, which had been more particularly insisted upon by the noble Viscount, than by the noble Lord at the head of the army, was, that no more troops could be spared for the defence of Plymouth, which would require ten thousand men to defend it; he must confess he was

astonished not a little. If he was well informed, the military minister [secretary at war] in the other House, the day the army estimates were voted, in winding up the whole of the military and naval force in the pay of Great-Britain, made it to amount to 367,000 effective men; 185,000 of which were land forces, in actual pay under the crown, independent of the Irish establishment, and the troops paid by the East India company: of these he said, 85,000 were serving out of the kingdom, and 95,000 within Great-Britain, including militia, fencibles, and volunteer corps: now if the premises were truly and accurately stated, he believed there was no military man that heard him, who would not agree with him, not even the noble Viscount or noble Lord, that ten thousand men might be well spared, for the defence and protection of so valuable and important a place as Plymouth, (which besides being one of the keys of the kingdom, was one of our three great naval arsenals, on which our safety and protection as a maritime power chiefly depended) out of ninety-five thousand.

He begged their Lordships' pardon for rising so often, and speaking so much; but he assured them, that it was no less tiresome and disagreeable to himself, than to their Lordships. It was, however, unavoidable, considering the manner the debate was managed by his opponents; for he had no sooner drove them from one post, but they occupied another: he was therefore driven to the necessity of combating the same arguments over and over again, brought forward in a different shape. He would however sit down with one short word or two, in observing on the very high eulogium bestowed on the lines, now constructing for the defence of Plymouth, under the avowed direction of the noble Lord at the head of the staff. In the first place, as if destined to begin every thing at the wrong end; instead of fortifying the heights, the lines however perfect or complete must follow the fate of the heights; for whoever possessed them, would soon render the lines untenable and too hot for any troops to live in. Again, the works he understood, and by what he saw of them were well constructed, but half the labour would have answered as well. The noble Lord, when this was objected early in the debate, said, the ground was too extensive, consequently the lines on the heights would cost too much time and labour. That the works commanded would answer no purpose whatever, but

but that of prolonging a defence, was to him as clear as noon day, whereas if the heights were fortified, though the fortifying them would cost more money in the first instance, and a greater number of men to defend them in the second; surely when we had an army of a hundred thousand men within the kingdom, and spent annually at the rate of twenty millions, so paltry an apology as the expence, or a want of men, would not be received as satisfactory by their Lordships!

He foresaw the fate of his motion with unfeigned sorrow; and felt a struggle within his breast, whether more to pity the deluded people who were doomed to destruction, by the folly and wickedness of their governors, or to condemn and execrate the conduct of those, who by their countenance, implicit confidence, and support, had enabled them to do so.

At eleven o'clock the question was put, and the House divided.

Contents	44	Non-contents	70
Proxies	7	Proxies	22
	<hr/>		<hr/>
	51		92

Adjourned till the next day.

April 27.

The Earl of *Radnor* made a motion relative to the obliging militia officers above the rank of subaltern to prove their qualification agreeable to the militia law. This produced a short debate, but being opposed by the Dukes of *Grafton* and *Manchester*, and Lord *Gower*, his Lordship consented to withdraw the motion for the present, and move it again early in the ensuing session.

No business of consequence transacted till the 9th of May.

May 9.

There stood for this day the cause respecting to the office of lord great chamberlain of England, in the place of the late Duke of *Ancaster*. The claimants were the present Duke of *Ancaster*; the Duke of *Athol*, in right of his mother, Lady *Stange*, Baroness *Knockyn*, descended from, and heir general of the *Derby* family; Earl *Percy*, male heir of the *Percys*, the ancient Earls of *Northumberland*; and Lady *Priscilla Bertie*, Baroness of *Eresby*, eldest daughter to the late Duke of *Ancaster*, the possessor of the office. But after a short speech from the Earl of *Radnor*, and

a few words from the Earl Mansfield, the hearing was postponed *sine die*.

Nothing but private business till the 24th.

May 24.

As soon as prayers were over, the order of the day for going into a committee on the new malt tax being read, the Marquis of *Rockingham* rose, and stated several objections to it.

His Lordship began with observing, that the idea upon which all general taxes proceeded was, that of an equal distribution of the tax upon the several objects of taxation. Taxes always originating in a presumed necessity, had two principles, which were inherent and inseparable from them, that they were to be laid equally, and therefore equitably. These two produced a third principle, or quality, that they ought to be proportioned to the ability of those who were able to pay them.

The bill upon the table being a tax upon a general, or universal consumption rather, had that inherent quality in it, that it was presumed to be proportionally laid on those who were to pay; because no man was obliged to consume more malt than his abilities permitted; consequently, on that ground, the people in general would have no right to complain, though certain districts and descriptions might.

But in the present bill, though the principle of equality was professed, a difference was made which declared to have a reference to that principle, namely, the malt of England was taxed six-pence per bushel, while that of Scotland was to pay but three-pence per bushel. This difference was made on a supposition that the English malt bore a proportion in goodness and value of two to one; that is, that one bushel of English malt was intrinsically worth, and would produce double the quantity of beer, of equal goodness and strength, with two bushels of Scotch malt.

He did not understand that any facts had been stated to prove that the quantity of beer brewed bore a proportion of two to one; but he understood that the arguments in the other House went entirely on the supposition that the barley of England, and consequently the commodity manufactured from it, the malt, was of a degree superior in that proportion to the barley or bigg of Scotland. This, however, appeared to him no better than a mere assertion without proof; and it was his duty, as a member of that House, to examine

how

how far it was supported upon any ground of positive truth, or of relative probability.

He had little doubt but noble Lords would agree with him, that if money was not of greater value in Scotland than in England, it was not of less; consequently, if money was the test of the value of any commodity, it would ascertain the value of the bigg of Scotland, and the barley of England. By the last monthly returns, he observed, that the average price of barley in England was 2s. 3d. per bushel; in Scotland, about 2s. per bushel. If money then was a fair standard to ascertain the value of this species of grain, in both countries, the barley of England was only one ninth superior in value to that of Scotland, instead of four eighths, or one half, which was the idea the present bill proceeded on. He believed further, that every noble Lord who heard him, would agree, that labour was at least as cheap, if not cheaper, in Scotland than in England; whence the two following conclusions were self-evident: that the grain in Scotland was within a trifle as valuable, because it bore nearly as high a price as in England; and that on account of the cheapness of labour, when it was manufactured into malt, that trifling difference became still less. If so, then their Lordships would see that the present tax, not being an equal, could not be an equitable tax.

Besides this, he had made it his business to enquire, and he was not without opportunities of knowing the fact to be true, because bigg was grown in considerable quantities in the north of England, and by the best information he could collect, he understood, that bigg in itself was somewhat inferior to what was called good or middling barley, and that the malt made of it was inferior in the same proportion, and in the extent which the price itself determined, perhaps in proportion of an eighth or ninth. He therefore submitted to their Lordships, whether on those well-known facts and clear premises, the barley or bigg, or the malt of Scotland, which was almost, though not quite so good as that of England; ought to pay but *half* the tax the latter was charged with?

He heard that arguments had been urged of a supplementary kind, in the other House, differing from the principle of the bill, but supposed to be supported by the treaty of union, or growing out of it, as a matter of course. Nothing of that kind appeared on the face of the bill; no notice had been taken in the preamble, or any part of the present

present bill, of that treaty, nor no recital of any such compact, directly or implied. As far, however, as his memory served him, he would explain to their Lordships what had come to his knowledge respecting that subject, as well as what degree of weight such arguments were entitled to.

The treaty of union was silent on the subject, except in the single instance, that the malt tax then payable in England should not be extended to Scotland during the continuance of the then war. As soon as peace was made, the malt tax in the southern part of the united kingdom having been continued, the tax was extended to Scotland, and so it continued for several years. Scotland at the time wanted cultivation, and the towns there to be improved; a mode therefore was struck out, which was that of giving the magistrates in towns corporate a power to lay a certain duty of so much upon every Scotch pint, or two quarts of beer brewed for sale, within certain towns and districts; the produce of which tax was to be applied to the carrying on public works, and various species of improvement. Many applications of that kind were made, and complied with; the first he believed from the town of Dalkeith; and they became at last so very burthensome, when united with the sixpence per bushel upon malt, and it being represented besides to Parliament, that all improvement must stand still, if similar duties were not permitted to be laid, that at length Parliament consented to remit half the duty upon malt, and instead of sixpence per bushel, which the Scotch paid for eleven years, the tax was reduced to three pence per bushel.

In the year 1759, when Mr. Legge, then chancellor of the exchequer, laid three pence addition in perpetuity, the former being the annual malt tax granted from year to year, he laid only three halfpence a bushel upon malt manufactured in Scotland. This, he believed, was a faithful history of the malt tax, so far as it related to Scotland; and now the question was fairly turned round, whether Scotland, in such a season as the present, when the people of England were taxed beyond all enduring, because she had favoured Scotland in happier days, should be now bound to pay double taxes in the midst of accumulated and accumulating burdens and distresses? He trusted he had proved, that the tax in itself, without reference to any other consideration, was not equitable, because it was not equal; that Scotland had no claim

claim whatever on the ground of the treaty of union; that every thing which England had consented to was only matter of favour and indulgence; and that the encreasing burdens, which every day were laying on this country, rendered it a matter of right and justice, as well as honour, in Scotland, not to plead our former generosity, by way of prescription, in the moment of national difficulty and public distress. Besides, surely, if such a favour were to be extended to Scotland, a considerable part of England, where the people grow bigg, or a light kind of barley, and all Wales were equally entitled as well as Scotland.

He had another objection to the bill, as well as its evident partiality, inequality, and injustice; for he could never give his consent to pass it till the petitioners throughout England had some satisfaction or redress given them on the ground of their complaints. The people of England, the very persons who were to pay the tax imposed by that bill, had petitioned to have the influence of the crown diminished. He should therefore, though he had no other objection to it, be against going into a committee.

His Lordship, after touching upon some other matters of less consequence, moved, that said bill do stand committed for that day three months.

Lord *Stormont* rose in reply, in favour of Scotland, and of the substantial equality and equity of the tax. He acknowledged that the account given by the noble Marquis, relative to the treaty of union, and the particular engagements entered into by both kingdoms, was literally correct; but he said, he was far from agreeing to the noble Lord's conclusions. It was true great Britain was engaged in a war, at the time the treaty of union took place. It was equally true, that Scotland being then an independent and distinct kingdom, had no hand in provoking that war, or entering into it. When the union was ratified, there was an annual land as well as malt tax. It was supposed the latter would cease with the war. When therefore the treaty came to be signed, it was specially provided by a particular article, that Scotland should pay no malt tax during that war, which in fact and in full contemplation of the parties, imported that Scotland was to pay no malt tax at all, for debts contracted or to be contracted in the course of the then war; notwithstanding which, contrary to the spirit of the compact, but fully within the letter, as soon as the treaty of Utrecht was signed, the malt tax being continued in England, was
extended

extended to Scotland, which gave great umbrage to the people of that kingdom, and he thought with some reason; so much so, that John, Duke of Argyle, and several other noblemen, natives of that country, made a motion for dissolving the union, as they deemed the extending the malt tax to Scotland a taking of an unfair advantage.

The experiment was however made, and the malt tax extended to Scotland without exception or reserve; but after eleven years trial, it was found not only to be expressly oppressive and unpopular, but the collection of the tax in many instances impracticable, and upon the whole miserably unproductive. There was besides peculiar hardships in the tax, which clearly militated in another point of view against the treaty of union, one particularly, relative to the excise paid upon a species of beer, called two-penny, which, provided at all times, when the beer or ale in England paid one penny, the Scotch two-penny should pay but in the proportion of one half.

The proportion then between the quality of the malt and beer of England was clearly marked out as well by the article in the treaty of union just alluded to, as in the act passed in 1724, the eleventh of George the first; which ordained that the malt which in England paid six-pence per bushel duty, should in future pay but three-pence in Scotland. This idea was closely pursued by all succeeding financiers. In the year 1760, when there was an additional perpetual duty of three-pence per bushel laid upon the malt in England, Mr. Legge, as the noble Marquis had justly observed, took the distinction fairly, and laid but three half-pence per bushel upon the Scotch malt.

He was not prepared to enter into a minute consideration of the comparative intrinsic value of English barley and Scotch bigg, or exactly ascertain their respective qualities; but from the real history of the manner the Scotch nation were saddled with a heavy malt tax, in the first instance, contrary to their expectations, and the good faith of the two nations, he thought for his part, that the present exception in favour of Scotland, was perfectly just and equitable. His Lordship went much into detail and minute particulars; but rested his defence of the clause in the bill respecting Scotland, chiefly on the treaty of union, and the act which passed in confirmation of that article in the reign of George the first.

The

The Duke of *Manchester* made several observations on the partiality shewn to the Scotch upon all occasions. They contributed less to the land-tax than some counties in England; paid only four-pence halfpenny a bushel, when the English paid ninepence; and what was still a more glaring act of partiality, in a tax expressly laid in order to oblige the opulent and wealthy to contribute their proportion towards the exigences of the state, this part of the united kingdom was doubly taxed. He was astonished how Ministers, or more properly speaking, the Minister of the other House, dare hazard such things. The northern part of the kingdom, though nominally taxed, produced little or nothing at the receipt of the Exchequer. He was well informed that, after paying the trifling expence of their civil establishments, frequently not a shilling was remitted to England; nay more, that the outgoings sometimes exceeded the receipts, and that the balance was obliged to be drawn from the Exchequer at Westminster.

His Grace pointed out the effect the present bill would have on the landed property, and contended that the malt tax was substantially a tax upon land; and had always been considered so by the ablest writers on the subject. This, he said, was not a time to accumulate burden upon burden, when the people were in general discontented; but, however, when the people began really to feel the pressure of the several taxes already laid, and the many more that must necessarily be laid, he trembled for the consequences. In fine, all circumstances considered, he was ready to agree with the noble Marquis, to postpone the bill for three months.

Lords *Abingdon*, *Ferrets* and *Craven*, and *Earl Bathurst*, Lord President of the Council, likewise spoke in the debate; and the question being put on the Marquis of Rockingham's motion, the House divided, contents 13, not contents 19.

The House then resolved itself into a Committee on the bill, Lord Scarsdale in the chair; it was reported without any further opposition, and ordered to be read a third time on Friday.

May 26.

This day, as soon as the order of the day was read for their Lordships to be summoned on an intended motion of the Earl of *Shelburne*, he rose and apologized to their Lordships, begging their indulgence for a few minutes. He observed that when he had the honour to give notice of the motion, which now stood the order of the day, he gave it in full expectation that he should have been favoured with the assistance of a noble Duke [*Grafton*]; he was however disappointed,
and

and he was extremely sorry for the cause. The noble Duke's state of health made it necessary that he should go to the country. When he moved to have the House summoned, he did it from an assurance that his Grace would be present, which happening not to be the case, he trusted that their Lordships would give him credit when he assured them that it was no alteration of sentiment, no wish to procrastinate, nor intention to create unnecessary delay at so advanced a period of the session, but merely the circumstance alluded to.

To explain this the more fully, it would be proper to inform their Lordships, that the noble Duke, whose assistance he so anxiously wished for, once filled one of the most important offices in this kingdom, and had long and ably assisted in his Majesty's councils, and of course, from his very confidential situation, his known abilities, and acknowledged experience, it might be presumed that his opinion would have considerable weight with their Lordships. He was moreover fully conscious of his own inability respecting the point which he proposed to bring under their Lordships' consideration, and was free to confess, that without the aid of the noble Duke, and other noble Lords, who might entertain opinions similar to his own, he would have hardly ventured to trouble their Lordships.

The favour he had then to request was, that as the noble Duke, he was well informed, would be in town for a day or two, that he might have liberty to withdraw his motion for the present, and afterwards move to have the House summoned for an early day in the next week. But though perfectly convinced of his being unequal to the task himself, if their Lordships should either think the request unreasonable in itself, or any noble Lord find it inconvenient, he should cheerfully proceed in obedience to the sense of the House. A cry of postpone, postpone! Adjourn, adjourn! His Lordship said, since it was the sense of the House, that the question should be postponed, he would, if agreeable, move it for Tuesday or Wednesday.—He would prefer Wednesday.

Earl Bathurst observed, that the House would not meet he believed till Wednesday, Monday was the anniversary of Charles II. No business stood before the House of any consequence for Tuesday, Wednesday next therefore would be the first day the House would meet. He thought therefore that Thursday next would be a fitter day, as several noble Lords who intended to leave town would have more time to return.

In this proposition Lord Shelburne acquiesced, and accordingly

ingly moved that the order of the day be discharged, and that this House be summoned for Thursday the 1st of June, which was agreed to.

The Duke of *Richmond* gave notice that he would on Friday next, the 2d of June, submit a proposition of very great importance to the House, and moved that the House be summoned for that day. Agreed to.

June 1.

The order of the day being read for this House to be summoned on a motion of the Earl of *Shelburne's*, his Lordship rose and previously stated the doctrine of a noble Lord then absent from his place [Lord Chancellor] on account of illness, that every Lord who moved for papers, besides explaining his immediate motives for moving for them, was bound to inform the House of the ultimate object he proposed to obtain.

In conformity to this established rule of proceeding laid down by that high authority, he would very fairly point to the object he had in view.

The papers he meant to call for, he assured their Lordships, would be totally free from one objection, which had been deemed an incurable one for several years past; they would convey no improper intelligence to our enemies; they would reveal no secrets of state; they would give no offence to our friends, nor cause of alarm to our enemies. The papers he sought were already known to all Europe; they had appeared in all the foreign Gazettes; they were translated, and had already been inserted in our own common news-papers. His motion, so far, was free from the least shadow of any objection. It was, however, in their Lordships' power to bring them forward in another light, and render them the fit subject of Parliamentary attention: for, until they were authenticated to the House in the usual form, no parliamentary proceeding could be had upon them. This, he presumed, was but a matter of mere form; and if their Lordships should think, with him, that the subject was a proper subject for discussion, they would vote for the production of the papers; if not, they would of course give his intended motion a negative.

In respect of the other part of the rule laid down by the learned and noble Lord, now absent from the woolsack, he would, though contrary to the usual mode of conducting business in that House, comply with it; he would tell their Lordships, very candidly and explicitly, what his motion pointed to. It was meant to lead to a vote of censure upon
Administra-

Administration, and a specific vote, by way of an Address to the Crown, for the removal of the First Lord of the Admiralty from his present high office, and from a seat in his Majesty's Councils.

Having fully explained his intentions, and his objects, his Lordship proceeded to state the subject matter of his ground of enquiry and accusation. The first, he said, was merely introductory; the latter by way of censure. If he should be so fortunate as to carry the present motion for papers, he was determined, on some future day, and at a short day, to follow it up with a vote of censure, and a vote of removal, such as he had described, unless administration in one event, or the noble Earl at the head of the Admiralty in the other, should be able to shew, that they had acted in a manner merely dictated by necessity, or arising from incidents and circumstances which it was not in their power to prevent.

Two objects were specially deserving of their Lordships' attention; they were, it was true, distinct in themselves, though they were productive of but one effect. He meant the total neglect on the part of ministers, to procure alliances on the continent of Europe, and the disobliging the few friends we had. It was difficult to separate them in some respects; but as far as the observation applied to the motion which he held in his hand, he would first state the recent transactions which, he presumed, were the cause of driving us into the melancholy dilemma in which we now stood.

His motion, he said, was meant to include copies or extracts of all memorials or representations, delivered or received by his Majesty's Ministers, relative to the claims of the several powers of Europe to a free navigation and commerce with our enemies; the instructions given to Commodore Fielding, previous to his sailing to intercept Admiral Byland; Lord Stormont's declaration to Count Welderen, the Dutch Minister; his Majesty's declaration in the London Gazette, of the 18th of April, declaring his intentions of seizing military stores in neutral bottoms, &c. &c. The Empress of Russia's resolution of combining and confederating with all the neutral powers of Europe, and her intentions therein expressed of forming, in concert with them, a code of maritime laws, intended to protect the goods and merchandize of the contracting or confederating parties, should likewise be laid before the House. His Lordship then commented upon several passages of those papers which he held in his hand, and read, he said, lest he should misquote them, if he had trusted merely to memory.

One

One part of the Russian declaration, he would call it a manifesto, had a very remarkable expression indeed in it; it said, "that the Baltic was excluded by nature from the intrusion of all the powers of Europe, but such as had dominions situated upon it." What was this but fairly telling England, every state on the face of the globe, which shall think proper to trade to the Baltic, will be protected in their property against the attacks or ravages of Great Britain, by us, and the other two neighbouring powers, Sweden and Denmark, whom we have now called upon to combine with us, for the navigation of the Baltic?—It is true, there was a sweetener which accompanied this declaration, namely, the restoration of a British ship which had been captured by an American privateer; but how dull and senseless, or wilfully blind ministers must have been, not to perceive, that the very act of kindness established the principle of exclusion? What was it but to say, We have returned you a British ship, taken by an American privateer? but attend to the conclusion; if any of your ships of war, or armed vessels, should capture an American vessel within the limits we have thought fit to prescribe, be assured, the rule we have laid down is meant to be a general one, of which America shall be free to profit as well as Great Britain. The fact in itself was alarming, but its consequences were, indeed, much more so, for it went to an implied acknowledgment of the independency of America. It stated no exception relative to rebels or subjects in arms; it avoided particulars, and only mentioned one, which was to confirm the general doctrine, that the Baltic and northern seas were free to all nations; and that the powers who laid an exclusive claim to the dominion of them, were determined, without any exception whatever, to maintain the freedom of their navigation. Another more alarming passage appeared in the Russian manifesto, "Free bottoms make free goods." Was not this declaration fairly telling the court of Great Britain, we will sell to neutral carriers? we will carry ourselves, and we will protect each other, in supplying the belligerent powers with every thing they may want, such as carrying their own native commodities and merchandize to and from their several ports and harbours in the West Indies, &c. But this language imported still more, and amounted to an invitation to all the neutral powers in Europe to accede to the contents, and to meet, in order to devise the necessary measures for the composing a code of maritime law, founded upon the basis "of free ships, free goods," unless contrary to the conditions of sub-

sisting treaties. This was at once destroying the law of nations as it had remained for many centuries; but that was not all; it must terminate in the ruin of Britain, at least it must terminate in the overthrow of her naval power; for the great advantage Britain possessed was, that she had heretofore enjoyed the advantage of an exclusive trade to her American colonies, which supplied great quantities of naval stores. On the breaking out of a war, Britain, besides having a supply from America, had the common European market to resort to, namely, Russia and the other northern powers; and being generally superior at sea, she had not only the opportunity of supplying her own demand, but likewise the power of cutting off, in a great measure, the necessary supply from France and Spain; so that our superiority at sea was owing more to that circumstance, than either to the numbers of our seamen, the great extent of our commerce, or even the skill and bravery of our officers and men. The code of maritime law, which, for aught he knew, was already agreed upon, taking away the great advantage which we had over every other nation now in Europe. It evidently puts us on a level with our enemies in point of supply, but much below them in the inevitable effects; for if France and Spain could have naval and military stores in any quantities they wanted; if they could transport their property to and from the western world, in free, because neutral bottoms, it was a farce, it was to the last degree ridiculous to say, or believe, that Great Britain would, or could possibly be able to cope with the united force of the House of Bourbon. Being thus deprived of the advantages which had given us the superiority, during the last three wars over the House of Bourbon, the foundation taken away, the superstructure erected upon that basis must fall to pieces, and then farewell for ever to the naval power and glory of Great Britain.

His Lordship next proceeded to state the particular predicament this country stood in respecting Holland. He observed, that soon after the breaking out of the American war, we had, by a most bullying, and oppressive conduct, irritated the Dutch, and filled them with resentments, which he believed would not be shortly eradicated. We treated them more like the wretched dependants, or the subjects of petty Italian republics, than a state which filled so respectable a nich in the grand European system. There were then two principal treaties existing, one of which permitted the Dutch to trade with our foreign enemies in time of war or actual hostilities; the other obliged them to assist us in the
event

event of being attacked in Europe. On the breaking out of the troubles in America, we were not at war with any foreign power either in Europe or elsewhere; consequently, there could be no requisition made to the States Generals for troops or ships; yet what was the conduct of the court of Great Britain? she gave orders to seize all naval stores in Dutch bottoms, and broke the treaty of 1674 without colour or pretence. When hostilities commenced with France, which by the bye, we, not they, commenced, by the taking of the *Pallas* and *Licorne* frigates, the same orders were renewed; the treaty of 1674 was daily violated, and scarcely a week passed which did not bring an account of some ship, belonging to Holland, having been captured and brought into our ports. Thus was the treaty of 1674 broke through, without a pretence of the treaty of 1716 being evaded; and even the violent and rash measure of the 3d of January last, was not preceded by the requisition made for the troops and ships finally determined upon for Holland. Besides, the tenor of the treaty did not bind Holland but upon two contingencies, first, that our enemies were not the aggressors, which, in fact, they were not; secondly, that we were attacked in Europe, which no man, he presumed, would assert. But be that as it might, it was clear, that it was we who had first violated the treaty with Holland, and afterwards, that we attacked the Dutch in an hostile manner, before we could possibly know whether they would have fulfilled the other treaty for the supply of the men and ships. That business was at the time in a train of negotiation. Every person in the least conversant in the constitution of the United Provinces, well know, that their deliberations were necessarily slow, when every province was vested with a negative, and every town and district almost in each province with a negative likewise in their provincial assemblies; consequently it was impossible, from the nature of the government, to come to an immediate decision, as in other countries, when the whole of the executive power was lodged in a single hand.

He was ready to acknowledge that the Dutch were a people much attached to their own interests; that their power and riches solely originated from commerce; that being the great carriers of Europe, they had every temptation to insist upon the rigid observance of the treaty of 1674, and to evade that for furnishing a supply of troops and ships to Great Britain, for fear of involving themselves in a war with France; but

those very powerful motives should have suggested to the cabinet of Great Britain the idea of a proper management, suitable to the difficulty and delicacy of the occasion, and which prudence would have endeavoured to provide against. They ought to have administered every preventive in their power; it might have been an arduous task, but to what use were ministers paid and employed? Where was the supposed wisdom, management, and address of men in office, if they did not find means to qualify, to defeat, or soften, what it might not be in their power to entirely remove? On the contrary, what was the conduct of the British cabinet? They oppressed those whom they ought to have treated with a most delicate and cautious hand; they irritated and insulted those whom they should have soothed and managed; and created the most indignant and fixed resentments in the breasts of those whom they should, with persuasiveness, drawn from arguments of common interest, former and present friendships, and future safety, have assuaged. It was true, that Holland was infected with party as well as England. There was a strong French faction there, who were further strengthened by those who had no other object but the present to gain. On the other hand, he would ask ministers, if England had not many weighty and powerful friends there? Most certainly, no man would deny it. Might not then a proper address effect a great deal? Might not the favourable dispositions be improved? Might not means be found to even gratify the views, in some measure, of the interested and avaricious, and even the violent be pacified? What could not be openly effected, might it not be brought about by other means? Not by bribery, for he understood that art had not been left unessayed. Ministers had, he believed, tried those means already, but to very little effect. Experience taught them to try the means which had so successfully answered their fullest expectations here at home. But though the governing object in commercial states was gain, though the Hollanders preferred money to almost every other consideration, they chose their method of obtaining it; they were not yet come to the last and grossest stage of human corruption, that of receiving round bribes for their popular suffrages. Money, he understood, had been distributed, but he believed, and was persuaded, it had been thrown away. It might influence other nations to do any thing; but unless with a few prostitute wretches, who were the growth of every country, he was well

well informed that this ministerial mode of negotiation had failed. The noble Viscount [Stormont] may shrug up his shoulders, but I know it to be a fact, that attempts have been made to bribe the Hollanders with money; and I will tell the noble Viscount what perhaps he is ignorant of, that notwithstanding the great expectations he may have formed from the negotiations at Rotterdam, and elsewhere, among the merchants, his negotiations (I presume his Lordship is no stranger to what I mean) will most assuredly miscarry; and that he and all his colleagues in office will find themselves, at long run, as fatally disappointed in this money negotiation, as they have been more than once in their attempts to bring over their leaders in America.

His Lordship lamented that we had not a single ally in Europe; nay more, that we had not a single friend or well-wisher. He should not be surprised to hear the noble Viscount in high office rise and explain away the whole of the Russian declaration, and endeavour to represent it as a scene of nothing but management between the courts of London and Petersburg; but he would anticipate what the noble Lord had, or might say, on that head, by resorting to a few facts, not of a doubtful nature, or liable to be controverted, but of the greatest and most acknowledged notoriety. He held, he said, the proofs in his hand; he would state them, and he defied any noble Lord in office to contradict a syllable of their contents. They were contained in the papers included in his intended motion. There were but two lights in which the Russian manifesto could be properly considered; the first with respect to the belligerent powers, the latter with respect to the neutral. How did the neutral powers receive the Russian declaration? Holland acceded to it; Sweden and Denmark, he was persuaded, had done the same before now; and Portugal would, probably, be compelled to follow the example, how much soever she might be disinclined, as having little or no interest in it. She was no carrier; her products were no object on either hand. She could dispose of her commodities, and receive those of other nations, without risk or danger. If this state of the question was not fairly laid down, he begged some minister would rise and assure their Lordships if some satisfaction was not given by Great Britain to the neutral powers of Europe, in which her claim of stopping and seizing the goods of neutrals was not relinquished; whether it was not meant to assemble the congress at the

Hague, or some other town in Holland, to be composed of delegates from the several neutral powers of Europe, in order to frame a code of maritime law, which should be binding upon the belligerent powers, both at present and in future.

On the other hand, what was the conduct of the belligerent powers? France, immediately on the receipt of the Russian declaration, expressed her fullest approbation; and as a proof of its justice and policy, not only took off immediately the additional duties laid upon the commodities of such of the United Provinces as had refused to come into her views, but actually issued orders for the restitution of such of the additional duties as had been collected upon the product, manufactures, and commerce of those other Provinces which appeared less friendly to her views. The court of Madrid followed the same example, and ordered restitution to the Dutch owners; while England gave up the point only as far as Russia itself was concerned, which was directly cementing the other neutral powers, driving them into the views of the court of Petersburg, and by that means rendering her the empire of the naval and commercial system of Europe. But from the fact, to proceed to the conclusion, was it not fair to presume, that Great Britain was now drove to the necessity of going to war with the rest of Europe, or of submitting to the law contained in this new maritime code? He knew but of one possible way of extricating us from the difficulties we were engaged in, and the danger with which we were threatened, though he could not promise that it would prove successful; that was by immediately going back to the treaty of 1674, by leaving Holland at liberty to act at her discretion; by giving in one instance, and taking in another; pointing out fairly, distinctly, and explicitly, the danger of permitting France to erect a naval power on the ruin of that of Britain; and reminding the Hollanders of the danger of their situation, if so formidable and ambitious an enemy should, to her great land power, make an acquisition of the dominion of the sea.

He confessed our situation presented nothing but a choice of difficulties; that it was a measure of humiliation, considering the lengths we had, through the absurdity, obstinacy, and imbecility of our ministers, been led into. It was their Lordships' duty to know how we had been led into this fatal situation, as well as to know what every man must acknowledge,

ledge, that we were in it; and he thought it the duty of their Lordships to be acquainted with the names of those pernicious counsellors, who had rashly, madly, and foolishly advised his Majesty to take so impolitic, precipitate, and, he feared, so fatal a step, in order that they might be held up to future ages as a monument to succeeding ministers, how they risked the interests of the country, nay its very existence as a nation, to such wild, impracticable, and destructive experiments.

He then contrasted the conduct of former administrations with the present, in respect of alliances, and pointed out several favourable opportunities which had presented themselves in the space of the last nine or ten years. He stated the favourable disposition of the court of Versailles, in the affair of the Spanish rupture, respecting Faulkand's island, at the close of the year 1770, when, if the French King had not personally interfered, a war would have been inevitable. He said, though this country did not acknowledge many obligations to Lewis XV. England was, at the period alluded to, much indebted to him. His minister pressed him on the occasion, but the monarch averse to war, and well inclined towards Great Britain, parted with that minister, and introduced a pacific system, by calling Monsieur D'Aiguillon to the head of his councils. This disposition might have been further improved and strengthened, and a full and permanent amity established, probably between both countries. Another favourable opening soon after offered in the case of the dispute between Russia and the Porte. Upon that occasion, it is true, the court of London did interfere, but procured no benefit thereby to herself. She preserved the balance of maritime power; she prevented the Russian squadron from being destroyed; she gave every friendly assistance she could, without taking an open and decisive part; and made no terms whatever, nor provision for the day of possible distress. Again, upon the partition of Poland, she might have easily turned the scale against the King of Prussia, by entering into a treaty with the Emperor; or if the partition was not thought to be proper, in respect of Russia and Austria, who had no claim, though Prussia had some title to the territories he claimed; Great Britain might have joined with the latter, and prevented the partition, by securing to the King of Prussia his exclusive claims. And lastly, when the court of Vienna laid in her claims to part of the succession of the late Elector of Bavaria, Britain, as in all the foregoing instances, might have interfered, and put a

negative upon the pretensions of the King of Prussia, and thereby secured the friendship of the present Emperor. He should add another circumstance, which exhibited our ministers, in the strongest light, to be weak, inattentive, and incapable, which was, that though it was we that had enabled Russia to make peace with the Porte, it was France negotiated the truce, and finally fixed and determined the terms of ultimate pacification. This was, he believed, an instance never known in the history of negotiation. France meditated the destruction of the Russian fleet in the Mediterranean, and would have accomplished it, but for the interference of Great Britain; yet when peace came to be made between the Empress and the Porte, it was France, the enemy of Russia, that was the negotiator, and not Great Britain, her steady friend in the time of need.

His Lordship then took a short view of the conduct of ministers in the present American war. America would not resist, said ministers: she did resist. Her resistance would be confined to a few; it proved almost universal. France would not interfere; she gave the fullest assurances of her pacific and friendly dispositions: she did interfere. Spain professed dispositions of a similar nature, but she soon followed the example of France; and now he should hear, he supposed, of the good intentions of the court of Petersburg; but in this instance he was not under the necessity of hazarding prophecy or prediction, for the conduct of Russia had saved him the trouble. She was allied, not directly for our destruction, in an open and hostile manner, but she was allied to effect what must bring it about full as effectually: she had put herself at the head of a confederacy, which would, if not prevented in some way or other, terminate in our ruin; and whatever might be the event of their Lordships' discussion of this important question, he thought it was well worthy of their most serious consideration.

He appealed to the noble Lords, if there was one among them, the most friendly and well inclined towards ministers, the most willing to support them, who would lay his hand on his heart and declare, that he expected any thing but progressive stages of national ruin, so long as the present ministers continued in office? He was sure there was not; but some of their Lordships might think themselves bound to support the administration of those whose conduct they had never publicly disapproved. There were some, however, of another description, who did not, he presumed, look upon themselves so fettered; some, who, while they sat in council

council with ministers, had publicly avowed that no man of honour or conscience could be present at the scenes which they were witness to in his Majesty's confidential councils. [Alluding to Lord Gower's words early in the session.]

He had a right to presume, that such men would not continue to support measures out of the cabinet, which no man of honour and conscience could bear to be present at in cabinet; otherwise, it would be, indeed, a most extraordinary stretch of political logic to support measures and ministers in Parliament, which measures and transactions no man of honour or conscience could submit to be present at in cabinet.

His Lordship went into a great number of miscellaneous observations of less consequence; taking notice that the folly and meanness of ministers could only be equalled by their obstinacy and temerity; that we had opened the eyes and enlightened the understandings of the German boor, the dull Hollander, and barbarous Russ; we had become the contempt and standing jest of all Europe; and, from a great, glorious, and happy people, who had borne our arms triumphant to every quarter of the globe, were fallen to a degree of insignificance and humiliation, which was sufficient to claim the pity and commiseration of our envenomed and implacable enemies.—His Lordship made the following motion:

“That an humble address be presented to his Majesty, beseeching his Majesty, that he will be graciously pleased to order, that there be laid before that House a copy of his Majesty's declaration, published in the London Gazette on Tuesday, the 18th of April last, suspending provisionally all the particular stipulations respecting the freedom of navigation and commerce with his Majesty's enemies in the time of war, with the answers given thereto; as also all copies or extracts of all correspondence with his Majesty's ministers, so far as relate to the same subjects, or any steps taken, or engagements entered into, between the said neutral powers in Europe, from the first of May, 1779, to the present.”

Lord *Stormont* rose in reply, and after a few prefatory apologies, said, he looked upon it to be his duty, to go somewhat into detail, because he found it necessary to speak as well to matters of fact as argument. He was fully aware of his own inability to contend with so powerful

an adversary as the noble Earl who had just sat down, were the powers of mere oratory to prevail; but he was not without some confidence, that his public attempts, when strongly supported by truth, as they would be, could not fail of making the impression he desired. His inferiority in point of declamation, would weigh nothing in their Lordships' judgment; and he made no doubt but their Lordships would think that the feebleness of the advocate would be most amply made up by the goodness of the cause.

Though he meant to go somewhat into length, it was not his intention to give a specific answer, or pay a minute attention to every assertion made, or insinuation thrown out by the noble Lord. It would on many accounts be imprudent, if not highly improper; and on others, little more than taking up their Lordships' time to very little purpose.

Under those reservations, he thought it his duty to pay particular attention to several things which had fallen from the noble Lord in the course of his speech. Such as he should forbear to enter more fully into the consideration of, he assured their Lordships, would relate only to points in agitation between us and foreign powers, and not finally determined upon. If, therefore, their Lordships should imagine that he had touched upon some points lightly and with an apparent degree of reserve, he begged leave to assure them, that such reserve flowed merely from motives of a very different nature from those, he presumed, the noble Lord who made the motion, and his friends might be ready to impute. That assembly was a popular assembly. Every thing which passed within those walls soon made its way into the world, shortly appeared in print, and was speedily transmitted to foreign countries. He had often before observed, and he would again repeat, that this circumstance was the source of much mischief. He had fatal experience of it when he had the honour of serving his sovereign in the capacity of an ambassador at a foreign court. He could, with truth, assure their Lordships, that these accounts frequently produced the most untoward circumstances, and created difficulties scarcely to be imagined, or believed, by any but those, whose situation gave them an opportunity of being acquainted with them.

He was ready to subscribe to an observation the noble Earl had repeatedly endeavoured to impress upon their Lordships'

Lordships' minds; that the present was a critical, a trying, and a difficult moment. He would go further with his Lordship, and add, that it was such perhaps as this country never before experienced. Therefore, discussions of the nature opened, by the noble Earl, ought to be entered into with great caution, and the subjects touched with a tender and delicate hand; otherwise, what was avowedly intended to effect the best purposes, might, as had often to his knowledge been the case, be productive of the very worst. He was sorry for it, but the temper of the times would have it so, that the deliberations of that august assembly, were become much too public, contrary, he believed, to the custom of all other states, of which any account had been handed down to posterity. Rome in the most flourishing stages of that republic, never published the proceedings and consultations of her senate, and he should ever think, that in that she acted wisely; for controuling executive government, when measures and their consequences were fully known and decided, and controuling the execution of measures, while they were in train, or depending, was in his opinion two different things.

He differed very widely, he said, from the noble Earl, respecting the subsisting treaties between us and Holland. He said, that the treaty of 1674, like all other treaties, held out or promised reciprocal benefits to the contracting parties. Treaties were exceptions to the general and universal law of nations, and as the benefits were supposed to be nearly balanced, and reciprocal, so were the obligations for their due and faithful performance. The history of the treaty of 1674, was this; Great Britain gave particular privileges, one among others, that of carrying all kinds of goods and merchandize without interruption; in return Holland engaged if England should be attacked, to assist her with a certain number of ships, and land forces. The nature of the treaty spoke for itself; it was in fact, an alliance, not a mere commercial treaty; besides this, it was made when France and the United Provinces were at war, and in contemplation, that what has since happened would never have taken place; namely, that Great Britain would be engaged in a war with France and Spain, and that the friendly stipulation in the treaty was to be employed against the former; but what was the conduct of Holland? That part of the treaty which answered her own purpose, she sought

sought and pressed a religious observance of, but declined to fulfil her own engagement, that of furnishing the ships and troops.

That succour, his Lordship observed, had been repeatedly demanded, and as repeatedly evaded and procrastinated by Holland, though not expressly refused. At first, as we were only at war with America, the answer was, that the *Casus Tæderis* did not exist. That plea could no longer be urged after the attacks made by the French at Rhode Island and Charles-Town; and the attempt by Spain upon Gibraltar. Upon those events, as they arose, applications had been regularly made to the States General, calling upon them to fulfil the treaty on their part, as it had been faithfully adhered to by us; yet, notwithstanding those applications had been accompanied by remonstrances, and pressed with all possible urgency, as to the nature of the claim, and the necessity of an immediate compliance, Holland still continued to supply our enemies with all kinds of naval stores, under the sanction of the treaty of 1674. Sedulously endeavouring to explain away the nature of the obligation imposed upon them, respecting the ships and troops. He was far from imputing this very extraordinary conduct to the people of Holland. Holland like Great Britain was torn by factious intrigue and cabal, which were unfortunately for both countries fomented by France; and thus the secret article in the treaty of 1674, which forbid Holland to supply our enemies with naval or military stores was said not to exist, on account of a subsequent treaty, in which the secret article was not recognized; so that in either event, whether the stipulated assistance was withheld, or the private article broke through, it came exactly to the same point. The treaty could not be binding on one party, a moment after it had been broken by the other: consequently, whether the matter was considered relative to the breach of the secret article, or to the undertaking to assist us in case of an attack; it was to all intents and purposes, literally and substantially long since at an end.

Finding at length all remonstrances totally disregarded, and what was more, that the French faction had prevailed so far, as to send out ships destined for France, and loaded with all kinds of military stores, under convoy; and this he was persuaded, upon a presumption, that we were so spiritless and depressed, as to submit to any indignity they might think it convenient or proper to put upon us; his Majesty's confidential

dential servants thought it high time to convince them of their error, and chastise them for their baseness. On this idea Commodore Fielding was sent out to intercept them. He did so, and brought several of the ships into Portsmouth, and would the whole of the fleet, had not the season of the year, and the length of the nights favoured their escape down the channel. Yet, however powerful the French faction in Holland might be, there was one circumstance respecting that business which was worth attending to. That Holland, he meant the governing powers there, took care that the timber for building should not be sent out, under convoy, as an act of state, but barely permitted at the risque of the owners, who as he had just observed, made their voyage good to Brest without interruption.

He did not wish to conceal any thing, neither to exaggerate; but he thought it incumbent upon him to observe to their Lordships, that after the repeated and pressing memorials which had from time to time been transmitted to Sir Joseph York, and presented by him to the States General, the refusing to comply with the requisitions, founded upon subsisting treaties, rendered every thing which subsequently happened, or might happen, the act of the republic, not the particular transgressions of interested individuals. The spirit of enterprize in merchants in expectation of inordinate gain, and rapidly amassing great fortunes, was, he believed, an almost universal principle, and in the breasts of none of that description did this principle more powerfully operate, than in these of the merchants and traders in Holland. The observation was almost become proverbial. The story of Count Lhowendal, who took Bergen-op-zoom was notorious, and well authenticated; for although it was the key of the United Provinces, Lhowendal protested that he must have failed in his attempts, had not the merchants of Amsterdam been so kind as to furnish him with gunpowder: and that at another time, when the Republic was at war with Spain, the Dutch merchant privately contracted with his Catholic Majesty to supply him with a certain number of ships, and very faithfully fulfilled their bargain. The case at present was clearly different, it was not private risque, nor mercantile adventures. It was evidently an affair for which the Republic itself had become responsible, as well by a tacit refusal under various pretexts, to fulfil the subsisting treaties, as by an active avowal of their real intentions, sending the ships carrying

carrying goods to our enemies, expressly contrary to the treaty of 1674, under convoy. If after such provocations, directly or indirectly, we must indeed be sunk as a people; we must be emptied of all spirit, and ministers deserve every charge urged against them on the score of timidity and irresolution; of being dastardly to the most extraordinary, shameful, and disgraceful degree, if they permitted Holland to continue supplying France and Spain, with what might be well denominated the sinews of war. Had ministers not attempted to avail themselves of the local situation of this island, placed as it were by Providence, between the northern and southern parts of Europe, they would most certainly have deserved every epithet the noble Earl had, or was inclined to bestow upon them. Had not they endeavoured to cut off those sinews of war, and stopped the supplies of naval stores, destined for Brest and elsewhere, to the general accusation of incapacity, and irresolution, the noble Earl, in his opinion, might with justice have added a criminal inattention, nay, even treachery itself.

Ministers had adopted a very different mode of conduct; notwithstanding which they were arraigned by the noble Lord. In his Lordship's idea, they were highly blameable, and for what? Because they seized the dagger which Holland was preparing to put into the hand of France, whose avowed object was the total destruction of Great Britain, if not as a nation, most clearly and confessedly, as a maritime power. Was this a charge which ministers need be ashamed of? He hoped not. He hoped it would never be imputed as a crime to ministers in that House, or out of it, that they prevented Holland from continuing the nominal ally of Great Britain, while her conduct in point of form and effect both, bespoke the friend if not the open auxiliary of France. Surely this could not be? He would never believe that so absurd, so uncharitable an interpretation could possibly be put upon their conduct. For one, he was ready to defend the whole of their conduct respecting Holland, who so far from performing the obligations to which she bound herself, had even departed from the permanent and established rules by which her conduct was circumscribed, as a power acting under the acknowledged laws of neutrality.

For his part, by what he could learn from the best authorities on the subject, he always understood that neutrality consisted simply in this; that the neutral power was not to give

give assistance in any shape whatever. Was that the case here? Or could it be so understood, either in fact or argument? By no means. Holland by a direct and open interference, might hurt herself, but all circumstances considered could hardly do any injury to Great Britain. Her conduct was the very reverse; for under the semblance of amity, at least a rigid neutrality, she was daily doing the most material, and perhaps fatal injury to Great Britain. Indeed, the supplying our enemies with naval stores, was all Holland could do, and she had done it.

The noble Earl with his usual ability, and with that warmth and strength of expression, which scarcely ever fail to accompany it, said he had made several observations on the paper which appeared in the London Gazette of the 18th of April. The noble Earl concluded, that the paper in question shut the door ultimately against any return to the former good understanding which subsisted between Great Britain and Holland. He was not sagacious enough to follow the noble Lord to the object at which he pointed, the declaration he confessed was a strong one; but it was necessarily so, and notwithstanding all the harsh epithets bestowed on it by the noble Lord, in his opinion there was still left an opening, and a wide one for Holland, if she chose it to return with ease, honour, and convenience to her former friendly connexion with Great Britain.

His Lordship next entered into a kind of abstract history of the negotiations of Sir William Temple, relative to the treaty of 1674; the difficulties he had to contend with; the peculiar embarrassment and perplexities which arose in the prosecution of it, and the final result; commenting as he proceeded on several parts of the noble Earl's speech, who made the motion. Respecting the conduct of the court of Russia, his Lordship was very full. It was his opinion, (and he had been in a situation more than once when his opinion was asked*), that it was the temporary, as well as permanent interest of Great Britain to do all in her power to cultivate a friendship and political connexion with the court of Petersburg; because it always appeared to him, that their interests were the same, and their advantages necessarily reciprocal. As to the conduct of the court of Versailles, respecting the Russian manifesto, which the noble Earl had represented in

* When Ambassador at the courts of Vienna and Versailles.

so unfavourable a point of view, by recommending to us to adopt a similar mode of conduct; or the other part of the alternative, an immediate breach with Russia, did by no means strike him in the same light. It was of very little consequence what France said or wrote upon the occasion; but he believed, there was very little need of positive proof to shew, that the regulations, such as had been laid down, in the Empress of Russia's declaration, had not been received in the French navy; and he was perfectly persuaded, that whether the orders were formally issued or not, there was no positive order given for their unqualified observance. To receive an instruction how to act was one thing; but the point would turn on the single circumstance, whether at the same time the officer who received such order would understand it to be an efficient order, to be *bona fide* carried into execution? The declarations of the Court of Versailles carried with them that degree of weight they were justly entitled to in the different courts of Europe. Russia could not forget the conduct of France upon a recent occasion; he meant when that power sent a squadron into the Mediterranean, about ten years since, to make a maritime war on the Turks, and to attack their islands in the Archipelago. Upon that occasion it was well known, and had been so stated by the noble Earl who made the motion, that in the midst of the most solemn assurances of good will from France, she was at that time meditating the destruction of the Russian navy, and would probably have accomplished her design, but for the timely and spirited interference of Great Britain.

The noble Earl complained loudly, and strongly criminated ministers for not profiting by the disposition and complicated interests of the several leading powers of Europe, particularly Russia, alluding to the circumstance last mentioned. He was of opinion, that the noble Earl should have endeavoured to inform himself better on the subject before he passed so harsh, and he was free to maintain, so unmerited a censure upon his Majesty's confidential servants. He should have learned what was done, and what was omitted, before he proceeded to judgment; when he had, he doubted not, but his Lordship would entertain sentiments extremely different from those he had that day expressed. The situation of Europe, the interests and views of its respective states, and a variety of circumstances little known, rendered that impossible, though speciously and apparently practicable in the execution. He said the Empress of Russia was a wise,
and

and a just Princess, and he had every reason to believe, would act strictly conformable to those great characteristics, and that her reign would prove as great and glorious as that female reign [Queen Elizabeth's] which so justly distinguished the annals of this country. The noble Lord condemned Ministers, for not profiting at the period alluded to, when the spirited interference of this country prevented the destruction of her fleet by France, in the Mediterranean. For his part, he thought the Court of London acted with a magnanimity and disinterestedness, that reflected the highest honour upon it. It would be mean, selfish, and pitiful, to take an advantage arising from the moment, to extort stipulations in our favour. Advantages thus gained seldom proved beneficial to those who extorted them; such situations might generate treaties, but they seldom, if ever, produced amity or affection. At the best, they were performed in an ungracious manner, and with little effect; and were generally evaded, for pretences would never be wanting to evade fulfilling engagements entered into in moments of difficulty and distress: and if he had an option, at the instant he was speaking, he would rather trust to what might arise in the heart of the Empress of Russia, from a recollection of past obligations, than merely have a right to make requisitions, formed on such a claim as he had been describing. On the whole, it was neither probable nor natural, that the Empress of Russia would desert her best friend, in the moment of adversity; she felt in her own mind too strong a sense of past obligations, to act so perfidious and unnatural a part; besides, her interest, according to the present system of Europe, as well as her gratitude, bound her to a conduct very different from that predicted by the noble Earl.

Lord *Camden* rose next, and after saying a few words on the general state of affairs, entered into particulars. He heard, he said, with astonishment, what fell from the noble Viscount (in the green ribbon) relative to the future conduct of Russia: the noble Lord acknowledges, that such a code of maritime laws as that so often mentioned in the course of the debate, has been promulgated by the Empress of Russia; that she has invited the other neutral maritime powers of Europe to accede to it; and the powers at war to submit to such regulations, as may be the result of a treaty, or congress, or meeting to be assembled for that purpose; while the leading steps are already taken, communications made by the courts of Stockholm and Copenhagen, and the Dutch republic; in the very moment that France, not waiting for the result of the congress deliberations, assents in the first instance, and Spain has given the fullest assurances of a similar intention; in such a state of things, what does the noble

Viscount tell you? That it is all no more than a *dream* or a reverie; that the Empress of Russia knows her own interest too well, as connected with that of Great Britain; that France has only acceded to it from the mouth outwards; that Spain will never consent to it: in short, that the whole is a shadow; a mere fanciful creation, which no wise man can believe, nor no Englishman regard. If their Lordships could swallow all this, he was ready to sit down. Before he had done, however, with this part of his subject, he could not avoid taking notice of a very curious and singular part of the noble Viscount's argument. The great advantage, says the noble Viscount, this country derives, from the locality of its situation, placed between the northern and southern maritime states of Europe; it would betray the utmost folly; the most spiritless, if not treacherous conduct in Ministers, should they neglect to avail themselves to the full extent of that situation, by permitting the Dutch, contrary to the law of nations, to carry naval and military stores to our foreign enemies. Here then was a complete acknowledgment; that if, through any mismanagement, neglect, or incapacity, the advantages to be derived from our local situation were rendered of none effect, by a combination among the neutral states to protect their own property against the belligerent powers; then, most clearly, that acknowledgment amounted fairly to this: that the efficient force we had to balance the great disparity between us and the House of Bourbon, when thus taken away, would, without the special interference of Providence in our favour, at length turn the scale decisively against us. He was sorry to commence prophet on the present melancholy occasion; but he could assure the noble Viscount of what he seemed to be ignorant, or knowing it, wished to conceal; that if we attempted to stop neutral bottoms, with their cargoes, or the goods of enemies in neutral bottoms, and condemned them as lawful prize, that our seas, as well as the ocean, would soon be visited by powerful squadrons; and in case we should persist, that force would be repelled by force: in short, if we should attempt to avail ourselves of our local situation, in the manner approved of and contended for by the noble Viscount, besides Spain, France, and America, we should shortly have Russia, Sweden, Denmark, and Holland, for our open and declared enemies. This he could state with confidence, because he knew it to be the *fact*.

Ministers had been, in his opinion, extremely to blame, in the beginning of this affair. They had wantonly insulted Holland; they had hurt her in her tenderest point, that of her commerce, and the advantages derived from it; and, they had accompanied those injuries with a degree of haughtiness, that created in the minds of the Hollanders the most deep and fixed

fixed resentments. France profitted of the occasion; she brought over some of the Provinces to her side; and spread a spirit of faction and discontent, and dislike of the English, throughout those other Provinces, which did not fall so fully into her views. No care was in the mean time taken to form any connexion in the north; to hold out exclusive benefits and advantages, in order to counteract the ill-humour of Holland, or counterpoise her weight, in the opposite scale, should she join France; or, which amounted to nearly the same thing, promote her interests, under the pretence of an armed neutrality. No; every thing was left to chance. Ministers, in a paroxysm of despair, seized the Dutch ships. This alarmed the other neutral powers, and produced the sudden declaration of the Court of Petersburgh, the effects of which no man could yet pretend to foretel.

He remembered, during the last war, the Minister of that day, one of the first war Ministers this or any other country ever beheld, adopted a very different mode of conduct. He believed no man doubted of the spirit of the late Earl of Chatham, his firmness, and love of enterprize; yet, undaunted as he was, his vigour of mind was happily tempered with judgment, penetration, and foresight. It was the politics of *that day* to confine national exertions to *deeds* not to *words*. The truth was, that we did at the time avail ourselves of our situation, but it was equally true, that we conducted ourselves with caution and good temper. He had the honour to be then one of the law officers of the Crown (Attorney-general.) Numerous complaints were made; his advice was sometimes asked:—what were the private sentiments of that consummate statesman, as explained to him in confidence? That our enemies must be cut off from the supply of naval and military stores, to the utmost of our power; but that all possible industry should be used to prevent any alarm; that the complaints of the neutrals should be attended to, every deference paid to the complainants, and speedy redress administered; but, nevertheless, that the great, the only object, should never be lost sight of, that of distressing the common enemy, and, in the language of his noble friend near him (Shelburne) depriving them of the *sineus* of war. This was the system the Earl of Chatham acted upon; this was the moderation he displayed in the very zenith of glory and victory, in the rapid career of the most unprecedented success that any other country could ever boast of. He insulted no man because he had the power to do it; he crouched to no man for fear of the event. His country was equally dreaded and respected. No injury went undressed; no insult unchastised; and at the very moment when the naval power of Great Britain, if opposed to the aggregate

of the whole naval power of Europe, would preponderate the scale; that truly wise, as well as in every respect truly great man, arranged matters so, as to cause strict justice to be done to the meanest, or most insignificant state in Europe, as much as if the oppression of a private individual belonging to that state, if not redressed, would have been decisive of the war against us.

His Lordship sat down, with testifying his most full and hearty approbation of the motion made by the noble Earl.

Earl of *Sandwich* defended Ministers against the imputation of incapacity, or neglect, in permitting the division of Poland, and of the dominions of the late Elector of Bavaria. Such an interference, he said, would have probably involved this country in a continental war.

His Lordship said, it was impossible that any one noble Lord who heard him, could more sincerely lament the misfortunes and difficulties into which we were plunged, and by which we were surrounded, than he did. But when he said this, he was free to declare, that he knew of no method so likely to extricate us, as acting with resolution and spirit, nor that there could be a better proof given of our wisdom than availing ourselves of the locality of our situation, by intercepting all military or naval stores destined for the use of our enemies, be the consequence what it might in respect to the neutral powers.

Continental connections had always, and ever would be productive of continental wars; and after the experience of the four great wars, since the Revolution, he believed no real friend to his country would wish to behold a fifth. When he said this, he was far from insinuating, that alliances were not very necessary, and even subsidy treaties very desirable, under certain circumstances; but that all depended upon the nature of those circumstances. He remembered, when he was a young man, much too young to be honoured with the high trust his Sovereign was graciously pleased to repose in him, [Ambassador Extraordinary and Plenipotentiary, in 1748, to treat of peace at Aix-la-Chapelle] a treaty was entered into with Elizabeth the then Empress of Russia, for a body of 40,000 troops, to be marched through the heart of Germany, into Flanders. He remembered the signal benefits which were the consequence of that measure; for from the very day the troops were put in motion, till the instant the preliminaries were signed, he perceived that the French Minister began to lower his tone, and became more ready to listen and attend to reason.

But he feared, that the present system of Europe, forbid us to entertain any such expectation, or any hopes of success. The other great powers of Europe stood aloof. It was a contest (howeve

however ill-judged) in which they could not be persuaded that they had any eventual interest. It arose between ourselves and our subjects, in the first instance, and at length brought on a maritime war between us and the House of Bourbon. There were besides distinct considerations, that prevented the other powers from interfering in the quarrel. One in particular, that the objects contending for were not situated in Europe, but in America; consequently, that what was called the balance of power in Europe was not affected by our disputes.

Upon the whole therefore, since it was a maritime struggle, and that we possessed the advantages he had so often alluded to, he thought we should be infatuated to the last degree, not to improve them; he said he would give a negative to the noble Earl's motion.

The Duke of *Grafton* was astonished how the noble Earl who spoke last, could have made such a *detour* upon subjects very little connected with the motion. The preliminaries of peace agreed to at Aix-la-Chapelle were well known, so was the Russian treaty; Admiral Byland's having been stopped in the Channel, &c. but what was all this to the question? The real question before their Lordships was to have the papers moved for laid before the House; and, upon knowing how ministers conducted themselves, to act accordingly; if criminally, to pass a vote of censure upon them, and address for their removal; if not, to advise his Majesty to adopt such measures as the very critical situation of affairs might render necessary. At present the prospect was alarming. If the neutral carriers and owners were stopped indiscriminately, their ships and cargoes condemned, it could not be doubted that a rupture with the armed confederacy would be the consequence. Notwithstanding the language of desperation used by the noble Earl, he trusted there would not be found a second man in the kingdom of the same mind. On the other hand if this high sounding language was only assumed to answer a temporary purpose with their Lordships, by holding out a *salvo* for the national honour, while it was secretly intended to permit the neutral powers to assist our enemies with naval stores, then the fatal consequences predicted by the noble Earl who spoke last, would certainly take place, and we must at length sink under the collected and unequal weight of the House of Bourbon, thus abetted by our pretended friends, but real enemies.

But he trusted, if their Lordships would, as in duty they were bound to do, but consent to take up the matter, both of those dangerous and fatal extremes might be easily avoided. The supplies, if not totally, might in part, and perhaps that was all that was necessary, be cut off; and that without involving us

in hostilities with the northern powers. There was in his opinion a medium way to be taken; for his part he was astonished how ministers could have missed it; nor was it yet finally shut against us. As the noble and learned Lord who spoke lately judiciously hinted, the desired effect might be produced, without any formal avowal; measures of force might be used, and yet all the parties rest contented when the principle of right was not strictly contended for. It was on this ground chiefly, that the motion met with his approbation and support. Ministers had been tried, and had proved themselves totally unequal to the task. They had been loud without effect; oppressive without exertion; they had, on the other hand, been cringing without management; and mean without being able to persuade.

Earl of *Mansfield* said he was ready to agree with the noble and learned Lord (Camden) who spoke lately, and the noble Duke who spoke last, that all possible circumspection should be used, in order to avoid giving any real cause of offence. He believed the fact was so, for he had not yet heard that a single Russian ship had been captured, or that a single complaint on that head had been made by the court of Petersburg. The Dutch in former times often complained, as they do now; even during the last war but one, when we were acting as allies together on the continent, he was then one of the law officers of the crown, during which time he had been frequently consulted, (Solicitor General) but the particular case always explained itself, without appealing to any general rule. His Lordship said, he chiefly objected to the motion, though in one sense he thought it harmless enough, because it would be a waste of time to no manner of purpose. Every noble Lord who heard him, knew that the papers moved for were publicly known to exist. What then is the end of producing them? The noble Lord who made the motion tells you, in order to found a vote of censure upon them against the noble Earl who spoke lately, or some of his colleagues in office. Now that was the only reason which induced him chiefly to give his vote for withholding the papers. It signified very little if the mere motion went; but it was that which was meant to be engrafted upon it which he was solely against; for he would never give his vote for censuring those who had, in his opinion, faithfully and ably discharged their duty, which he must do if he voted for the present motion.

At half past eleven o'clock the question was put, and the House divided.

Contents
Proxies

32

7

Non-contents
Proxies

62

32

 39

 94 June

June 2.

The Duke of *Richmond* rose to make his promised motion of the preceding Friday. He said he found himself exceedingly unhappy that he should have to trouble their Lordships with a motion in a situation which they were in at present. He had been frequently charged with being too ready to rise and support the claims of the people. He had been always ready to do so, because he thought it was his duty as an Englishman, and a member of that House. Their Lordships would find if occasion should render it necessary, that he would, as a peer of Parliament, be equally ready, to the best of his abilities, to support the rights, privileges, and vested powers of the peerage; in short, the freedom and independency of both Houses of Parliament, and of every branch of the Legislature. And no noble Lord who heard him more highly disapproved of, and lamented the riotous proceedings than he, now going on in Palace-yard, and to which he himself had been partly an *eye-witness.

* While his Grace was speaking, and for some time before, every noble Lord who came in bore about him some marks of the resentment of a mob then collected, to the amount of several thousands in the Old Palace-yard. Lord Mansfield, the Speaker *pro tempore*, in the absence of the Lord Chancellor, then much indisposed at Tunbridge Wells, was very ill treated, and came into the House with his whig dishevelled; Lord Stormont escaped with difficulty with his life, and it was said was obliged to swear, that he would vote for the repeal of the Popery Bill. Lords Hillsborough and Townshend met with very rough treatment, having had their bags pulled off, and their hair of course hung dishevelled over their shoulders. The Archbishop of York was equally ill used, and had his lawn sleeves torn off, and flung in his face.—The Bishop of Lincoln's carriage was broken, he himself taken into a Mr. Atkinson's in the neighbourhood, in a fainting fit, and was from thence obliged to escape in disguise over the roofs of the adjacent houses in a suit of that gentleman's clothes. He at length got in at the garret window of another House, and would probably have fallen a sacrifice to the resentment of the mob, who at length broke into his late asylum, but were much disappointed when, on searching the house, they discovered that the Prelate had eluded their search, and escaped the vengeance they had been meditating. Lord Bathurst, (President of the Council) and Lords Aberdeen, Denbigh, Cholmondley, were very ill used; and the Duke of Northumberland remarkably so. There was a gentleman with his Grace in the carriage, which gave rise to a false report, that the gentleman was a jesuit. His Grace was forced out, and in the scuffle he lost a valuable watch and his purse; and Lord Sandwich narrowly escaped certain destruction, and owed his life probably to the presence of mind of his coachman, who, in the midst of danger, suddenly whipped his horses round, and drove his master safe back to the Admiralty, without receiving any material injury.

He had, he said, been honoured with the name of leveller, because he took delight in reformation. He confessed the latter part of the charge. He did delight in reformation; but for what reason? Because he thought it was become absolutely necessary. He wished most sincerely to see the abuses that had been gradually, for nearly a century, creeping into government, sometimes more slowly, at others with more rapid strides, corrected or removed. The constitution was daily impairing, and government becoming more and more corrupt; he might add, without any imputation of his veracity, most grossly and flagrantly corrupt. The task of reformation he acknowledged was great, big with difficulty, and dangerous, perhaps, in the execution. He was likewise satisfied, that to ensure success, it ought to be touched with a careful and a delicate hand.

The plan he had in contemplation, was not to level and mix all distinctions of men indiscriminately, but to distinguish them clearly. Every rank had its duties from the highest to the lowest; the King depended on the people for support; the people on their Sovereign for protection.

After this sincere declaration, he trusted, it would not be imputed to him, that he wished to level the distinctions between men. He was persuaded that they were contrived and ordained by Providence for the wisest purposes; for there was an eternal barrier in the human mind against the equal division of wealth and power, were he weak enough to endeavour to persuade his fellow subjects to the contrary.

He was an enemy to the system which had prevailed since the commencement of the present administration; because it tended, if not attempted, to render the King's will the rule and measure of Government; a system which was said, no matter how truly, to have originated from some circumstances which happened towards the close of the last reign. It was said, for instance, that his late Majesty had a ministry, who by the united strength, acquired by their wisdom, enterprise, and activity, rendered themselves so justly popular, and so strongly fortified in their seats, that the King was in fact a servant. The minister possessed every thing but the name of King, and the King was little more than a Dutch Stadtholder, or a Doge of Venice. An occasion happened, it was said, on which his Majesty and his ministers thought differently, and he wished to get rid of them; yet, such was the popularity of the minister, on account of his repeated successes, by which the national glory had been so eminently exalted, that there could not, as it was understood at the time, a *man in the kingdom* be prevailed upon to succeed him. The apprehension of such another situation had given rise to the present

present system. It was dreaded, that if men of ability and integrity; men, who having a weight and reputation in the country, and the confidence of the people, a kind of intrinsic strength, to put them beyond mere personal dependency, that it might reduce his present Majesty to a state of slavery, such as report had imputed to a former reign. If this reasoning might be fairly relied upon, he could not say, but the devisers of the present system had acted perfectly consistent; for certainly, if so much was to be apprehended from men of great talents, sound experience, and eminent integrity, they had carefully selected the weakest, most servile, and unpopular, that could be found; men every way unqualified for their high stations; for when wisdom was most wanting, the most consummate weakness was substituted in its place.

The plan, such as it was, was most anxiously and unremittingly pursued since the commencement of the present reign. Administrations had been formed in rapid succession, for the first five or six years after his present Majesty ascended the throne; they were composed, it was true, of the most heterogeneous and discordant materials. Men of different principles and habits were called together, not to carry their respective opinions into execution; one party to govern this day, and the other the next; but to propose and sanction measures, equally repugnant to their own sentiments as to those of each other. Men thus inimical, at least so materially differing upon every question of state which came before them, found a gratification, at least, in throwing their weight into the opposite scale; that is, when any measure was proposed, which was contrary to their own, as well as their opponent's principles, they vainly imagined, that when they supported the secret advisers' schemes, they were thereby fortifying themselves; but what was the consequence? They found themselves, perhaps, in a very few days after, exactly in the same predicament, if the measure recommended corresponded with the sentiments of their adversaries. By this means parties, and the remnants of former administrations, were set on to worry each other; while the balance was held by a *secret* invisible power, which directed the whole political machine at pleasure.

He begged pardon for this digression from the subject he had caused their Lordships to be convened to determine upon, he meant, the most likely method of setting some limits, and restraining, at least, if not reducing the encreasing and alarming influence of the Crown. Various methods had been devised by the several county meetings to effect so desirable an object; he had hit upon two modes: the one a proposition
for

for restoring the duration of Parliament to its ancient stated period; he meant annual Parliaments, in which the representative would be sent back to his constituents at the end of every session, or every year; the other, a proposition to add one hundred members to the present representative body, by adding so many Knights of Shires in order to balance what was usually called the dead weight of the rotten or ministerial boroughs. He should, with their Lordships' permission, consider both those propositions with the attention which they seemed to him to deserve, and to the best of his abilities.

It was not his intention to combat the impropriety, or to maintain the expediency of either of those propositions; the principle of the former clearly corresponded with his own general sentiments; the latter, perhaps would be attended with some inconveniencies; a very obvious one, however struck him, and he would mention it; which was that a room large enough to accommodate with ease and convenience 638 members would be very unfavourable to the purposes of deliberation and debate.

His Grace then began to open his plan more minutely and distinctly; he said, if this free constitution was to be saved from ruin, Parliament and the people, this House as well as the other, must go to the *root* of the evil. Burgage tenures must be abolished. The duration of Parliaments must be shortened, they must be rendered annual, or if that could not be obtained, they must be shortened, and every man in the kingdom, of full age, and not disqualified by law, must be represented. His Grace was proceeding, but was two or three times interrupted*. He complained warmly of the interruption, and appealed to the Woolsack. He said, if he had uttered any thing disorderly, or against the rules of debate, he was ready to sit down; but he expected, if not, that he would be permitted to proceed.

Before the noble Lord on the Woolsack had time to answer, Lord Montfort, who remained all the time on his legs, begged the noble Duke's pardon, and assured his Grace, that he had not the least intention of giving him any offence; but as a Peer, he thought it his duty to rise and acquaint their Lordships of the perilous situation one of their own members

* By Lord Montfort.

† At this instant it is hardly possible to conceive a more motley and grotesque appearance than the House exhibited. Some of *their Lordships* with their hair about their shoulders, others smutted with dirt; most of them as pale as the ghost in Hamlet, and all of them standing up in their several places, and speaking at the same instant. One Lord proposing to send for the guards; another

bers stood in at that instant, he meant Lord Boston, whom the mob had dragged out of his coach, and were most cruelly mal-treating. He hoped the noble Duke would thank him for the interruption he had given him, for probably the life of the noble Lord would be endangered, if not speedily assisted.

This immediately excited the attention of their Lordships, and a mixed conversation ensued upon it, between the Duke of Richmond, Lord Shelburne, Lord Hillsborough, Lord Mansfield, Lord Bathurst, Lord Townshend, and others.

Lord *Townshend* offered, in a body, to be one that would go and use his endeavours to rescue his Lordship.

The Duke of *Richmond* did the same, but said, if they went as a House, the Mace ought to be carried before the learned Lord on the Woolsack, who should go at their head.

Lord *Mansfield* expressed his readiness if their Lordships thought it proper.*

The Duke of *Gloucester* seemed to disapprove of the Speaker and the Mace going down, as besides the possible danger to the person of the noble Lord who presided on the Woolsack, very probably the mob were so outrageous, that they would pay no more respect to the Mace than to such of their Lordships as they had ill used. [Whether it was said by his Royal Highness or not, it fell in the course of conversation while he was up, that probably, if the Mace was sent out, it would not *find its way* so well back again; for it was said, that a noble Duke (Northumberland) had lost his watch and purse, and a noble Lord just come in (St. John) his purse.] His Royal Highness, on the whole, was of opinion, that it would not be proper for the House or Speaker to go down; but he recommended immediately to send for the aid of the civil magistrate. He understood there was one near at hand; for it was not many minutes since, he imagined he had seen Mr. Wright.

another for the justices or civil magistrates; many crying out *adjourn*, adjourn; while the very skies resounded with the huzzas, shoutings, or hootings and hissings in the Palace-yard.—This scene of unprecedented alarm continued for about half an hour. We have submitted this *Note*, merely to distinguish a circumstance hitherto unprecedented since the establishment of the monarchy, a period of above one thousand years.

* During this conversation, (in the language of Charles Townshend) the patient might have expired in a fit; but happily Lord *Boston* came in, not much hurt, but being in black, it being a court mourning, he appeared as if he had just finished a contest with his barber, who had parted with him half dressed.

Lord

Lord *Shelburne* rose, and with great warmth and energy said, he had sat patiently, expecting to hear some of the Ministers rise and give an account of what steps had been taken to guard against such a tumult, for that they must have expected it, as the advertisement, calling the people without doors together, had appeared in several of the newspapers a day or two before. Ministers had themselves to thank for the present tumults; the whole discontent which prevailed about popery, arose from their conduct in Scotland, from Lord Weymouth's extraordinary letter to that kingdom. Ministers ought to give some account of their conduct on the occasion. Had they convened the civil power? had they ordered the justices to be out? They were ready enough to call out the military when the inhabitants of Westminster were assembled in Westminster-hall on the 6th of April, for the purpose of debating on political topics, and for the purpose of discussing what referred to their own rights and privileges. Why had ministry done so much more than their duty then, and so much less than their duty now, when the avenues of the House were beset, and their own members insulted and prevented from doing their duty?

Lord *Hillsborough* rose, and said, if a question was put to him with temper, he was ready to answer it with temper. That he felt it his duty now, for the satisfaction of the House, and that he could assure them, orders were sent to the magistrates of Westminster, warning them of the mob of this day, and directing them to be in the way to quell any tumults that might take place.

The Lords on the opposition side of the House called out "When, when?" and Lord Ravensworth among the rest.

Lord *Hillsborough* said "yesterday," and if the noble Lord wished to know, he would endeavour to obtain him the exact hour and minute.

Lord *Ravensworth* took offence at this, and said his hours and minutes were almost gone, but that the reason why he had asked the question was, because that ministers ought to have taken proper steps before yesterday. The advertisement for the people to assemble in such large bodies, in which the name of Lord George Gordon had appeared, was published some days ago, and ought to have been immediately proceeded upon. His Lordship said, if he had the honour of serving his Majesty in any high office, which he thanked God he had not, he should have been ashamed of himself, to have let that advertisement pass unnoticed. As it was, he was ashamed of the noble Earl and his colleagues.

Additional information of the increasing riot at the door, arriving, Lord *Denbigh* said the civil power ought to be ordered to

to exert their utmost, and if they failed, and were unequal to the task, the military ought to be called out and put under the authority of the civil power.*

Lord *Shelburne* said, "No, by no means call out the military. I ever will resist and prevent such a matter if possible. The noble Lord and his friends who ordered them to be ready on the 6th of April, so unnecessarily, may be fond of it, but I will, on all occasions, oppose such a proposition."

Lord *Denbigh* loudly called Lord *Shelburne* to order, and said, he never had been eager or desirous of calling out the military. That he appealed to the House, whether he had not just now declared he never would call them out, but where the civil power were not equal to the suppressing of any tumult.

Lord *Shelburne* said, he would appeal to the House likewise, whether the House had not understood him otherwise. His Lordship then proceeded, and observing Lord *Stormont* accidentally smile, said it was no laughing matter, but that noble Lord had the day before laughed at the commerce of the country, and he was now laughing at the religion of it.

After a desultory conversation of half an hour longer, Lord *Mansfield* having given orders to *Black Rod* to send for Mr. *Wright*, that gentleman, attended by Sir *Francis Molyneux*, appeared at the bar, accompanied by another magistrate, and being examined by their Lordships whether they had received any orders to be ready, and why the civil power was not assembled? They both replied, they had neither received or heard of any such order. Mr. *Wright* further declared, that he was coming down voluntarily, to see if there was any likelihood of a disturbance, or any occasion for constables, when he was met by a messenger from Sir *Francis Molyneux*, who had sent for him to come directly. Mr. *Wright* said further, that he had endeavoured since he had been down, to collect all the constables he could; that, as yet, he had not been able to get more than six constables together, who were now waiting at the Guildhall till more could be fetched, as it was in vain to expect to do any good in dispersing or quieting so very large and tumultuous a mob as were in the streets with so small a number of constables.

Lord *Mansfield*, by order of the House, directed Mr. *Wright*, and the other Justice, to go directly and try, by every possible force they could collect, to disperse the mob.

* Several Lords, as they came in, were accompanied by the mob up the steps to the door of the matted gallery, which the officers of the House endeavoured to keep shut against the latter. The officers acquitted themselves with becoming spirit and resolution.

The

The Duke of *Richmond* said it would be impossible for him to go on with his motion, he should therefore move that their Lordships adjourn, and meet again to-morrow.

Lord *Mansfield* said, he had just better state generally, the tendency of his bill.

The Duke said, he would do so in three words. He then told the House, that the intention of the bill was to restore *annual* Parliaments, to procure a more equal representation, and to regulate the election of the Scotch Peers.

Lord *Le Despenser* said, he had ever been an advocate for annual Parliaments, but that unless the burgage tenures were removed, the going back to the former would be doing things by halves.

The Duke of *Richmond* said, he meant to abolish burgage tenures, and the rotten boroughs altogether, though he was aware in that case it became a question of property.

Lord *Stormont* said, as a momentary silence might imply doubt at least, if not assent, he thought it right in that early stage, to oppose the noble Duke's bill, because he disliked the principle of it, as tending to introduce an alteration in the constitution of Parliament, of too great and important a nature to be agreed to in times like the present.

The House adjourned at nine o'clock.*

June 3.

The Lord President, Earl Bathurst, made the following motion:

"That an humble address be presented to his Majesty, that he will be graciously pleased to give immediate directions for prosecuting, in the most effectual manner, the authors, abettors, and instruments of the outrages committed yesterday, in Old Palace-yard, Guildhall, Westminster, and the places adjacent, and upon the houses and chapels of several of the foreign ministers."

The Duke of *Richmond* said, he was not yet convinced that the proper precautions had been taken by ministers to prevent the riot the preceding day. He would reason on what he

* Though the military had been sent for at seven, namely since Mr. Wright's examination, the *Peers of Great-Britain* were kept thus together, for *two hours* longer, as a kind of state prisoners. The House gradually thinned, most of the Lords having either retired to the coffee-houses, or gone off in Hackney carriages, while others walked home under the favour of the dusk of the evening. But the most remarkable circumstance was, that Lord *Mansfield*, in the 76th year of his age, was left alone and unprotected, but by the officers of the House and his own servants.

he *knew*, as a member of that House, *not* from what he might hear hereafter. A gentleman in the commission of the peace, a Mr. Wright, had been called the day before to the bar, and examined touching what instructions or orders he might have received himself, or which he heard had been given to others, in order to prevent the riots. What were his answers? He received *no* orders: he heard of *no* directions; *no* precautions whatever had been taken: none of the magistrates were in the way, nor was all his industry, after the commencement of the riot, able to procure or collect more than one other magistrate, and six constables, who were then waiting at the Guildhall, Westminster, to have their numbers augmented, before they dare venture to discharge the duties of their office.

No man in that House, or out of it, was readier to enquire into and inflict exemplary punishment upon the offenders and rioters than he. He was indeed a witness to a scene yesterday, unprecedented in the annals of Parliament. And before he proceeded further, he could not help observing, that there must have been great neglect *somewhere*, and much *blame* due; otherwise the riot could have never rose to the alarming height it had. Those who were guilty of that neglect, had a great deal to answer for; they were responsible to their Sovereign and their country.

He happened to come down pretty early yesterday, and met with very little interruption. He was, however, stopped in his passage through the mob, and addressed by several of them; and he could assert upon his honour, that he did not hear a syllable of complaint respecting any other law but the Quebec Act. It was the general cry, through such part of the crowd as he happened to pass; and though he totally disapproved of such a mode of procuring a repeal of any law, he could easily distinguish the difference between a toleration and granting an indulgence, for conscience-sake, and an establishment; but it was not even an establishment; for, in fact, the Quebec Act made the Popish religion the religion of the state. A Popish Bishop was appointed a Patriarch of part of the dominions of the British empire, half as large as all Europe; the Romish clergy were provided for, under this plan of ecclesiastical polity, in the same manner that the clergy of the established church were in this kingdom; they had tithes; and, in short, all the emoluments, as if they were the pastors of the established church, and the Protestant religion was little more than tolerated. The King's Popish subjects, in that province were called to the King's Councils there; they were eligible to fill all the efficient offices in the state.

Lord Shelburne said, he thought it extremely improper to give the Roman Catholics a legal establishment in this country.

man on earth was farther from wishing to persecute people on the score of religion than he was; but he was nevertheless of opinion, that it would be better to suspend or connive at the exercise of the Romish religion, than give it any thing which might bear the appearance of a legal establishment. He had heard many things which confirmed him in the soundness of this opinion. The clause in the act of the 11th and 12th of William the Third, the repeal of which was the foundation of their present legal immunities, debarred them of many privileges which the present law gave them. The law of William the Third prohibited them from teaching and preaching; it besides contained several material provisions respecting the descent of landed property, every one of which, in a greater or less degree, tended to a discouragement or prevention of bringing up and educating youth in the principles and doctrines of the Romish religion. Every one of those laws had a strong tendency to bring over persons of property to the established church, and so far were founded in political wisdom.

For his own part, while he had the honour of discharging the office of Secretary of State, he continually endeavoured to promote a relaxation of the penal laws against Roman Catholics, when the punishment incurred, or the mere operation of law would tend solely to persecute a man for conscience sake. On the other hand, he trusted, he had been equally vigilant, to prevent the increase of Popery, and to take care that the suspension or mitigation of the laws, for conscience sake, should not be converted into anything but what it was really designed for; or that indulgence should be so far connived at, as to render what was merely permitted in regard of the opinions of misguided or mistaken, though sincere men, to be the means of propagating a system of religion, so repugnant to the spirit of the Constitution, and so diametrically opposite to the laws in being.

In the course of his attention to this just medium between two extremes, equally to be avoided, he had more than once opportunity of learning, that the mere indulgence alluded to, was converted into an actual abuse. One instance in particular came fresh into his memory, it was relative to what passed between him and a noble Duke, one of the first in rank in the kingdom (the late Duke of Norfolk). Having been informed, that the noble Duke had not only built a new chapel, but had instituted a kind of academy or seminary for the education of youth in the principles of the Romish religion, he did not proceed rashly or hastily, according to the custom of the ministers of the present day; neither did he fall in with the other extreme, for which indeed they seemed to be more celebrated, *that of an incurable supineness, neglect, and inattention to every thing*

thing which might be fairly esteemed to come within the discharge of those duties which they stood pledged to their country and their Sovereign for a due performance of. He heard the matter as communicated to him with caution, but with the attention to which it was entitled, but the very moment he became convinced of its reality, he did not wait for the effect, but instantly did all in his power to prevent it. He gave a strong intimation, that if the seminary was not immediately dissolved, he must permit the laws to take their course. The noble Duke conducted himself in a manner which did him honour. There was instantly an end to the academy, and there the affair terminated, without any disagreeable consequence to any of the parties.*

The question was put on Lord Bathurst's motion, and it was agreed to.

Lord St John rose, and made the following motion:

"That the proper officers be ordered to lay before this House a copy of the late dispatches received from Sir George Brydges Rodney, those particulars only excepted which concern the future operations of the fleet, and which, by being made public, might be of service to the enemies of this country."

Earl of Pembroke seconded the motion, because, he said, he thought it indispensably necessary that the public should *know* the *real* transactions of the 17th of April, and what were the *causes* of the miscarriage of that disgraceful day; for, however the affair might be represented by those who had an interest in *concealing* the *truth*, he deemed it a miscarriage, in which an opportunity was lost of destroying our enemies.

The causes of this public misfortune had originated *at home*; the effects were, that the ships were out of condition, and that faction had spread itself throughout the whole fleet. Many of the ships were foul; there was a great scarcity of naval and military stores of all kinds; and the officers were divided, by the politics which unfortunately distracted every part of this falling empire. Officers were put in command, more from their attachment to certain political principles, than from their reputation.

He begged their Lordships to believe, that this was not

* During the whole of the last paragraph, his Lordship looked towards the throne, and seemed to be addressing Lord Surrey, who for the first time appeared among the *heirs apparent* behind the woolsacks; having that very morning read his recantation from the errors of the church of Rome.

mere declamation, or the effect of any preconceived or floating opinions of his own on the subject! it was founded on the best authority, the contents of a private letter, which he held in his hand, and which, with their Lordships' permission, he would read as part of his speech.

His Lordship then read the letter, which he assured the House was written by as brave an officer as any in the British navy, and a person of known probity and honour.

The substance of the letter was, that the *spirit* of Sir Hugh Palliser had *gone forth*, and *infected* the British fleet; and the service felt all the evils arising from those dissensions which were sown by our *great men at home*. The ships were foul, and out of repair. There was a great scarcity of all kinds of naval stores: many of the ships had suffered greatly in the engagement; several of them were crippled, and therefore rendered useless, in a great measure; and there were some, which the letter-writer predicted would *never again reach England*, or be able to return to it. The letter contained a very warm panegyric on the bravery and conduct of Sir George Rodney; charged several of the Captains with a failure of duty, and represented the Commander in Chief as being much dissatisfied, not only with the conduct of several of the officers who served under him, but likewise with those who had *deceived* him, relative to the expected state and condition of the squadron, to the command of which he was appointed.

Earl of Shelburne, after thanking the noble Lord who made the motion, and the noble Earl, who had read a private letter as part of his speech, commented on its contents. He believed, though he had not seen a line on the subject himself, that there were several letters in town, received from officers present in the action of the 17th of April, which contained a similar language, and as the letter-writer had aptly expressed his sentiments, represented the *spirit* of *Palliser* to have gone forth, and having sown dissensions, and, he feared, the most incurable dissensions, throughout the whole fleet; they were indeed felt every where, in England, as well as in the West-Indies.

He then proceeded to observe on the office-letter, which appeared in the Gazette of Thursday se'nnight, which he contended ought never to have been permitted to see the light, in the dress in which it appeared. What was it, but a general censure upon the whole fleet, and upon every individual commanding officer who served in it, from the Vice-Admiral down to the junior Captain. It is true, the letter
contained

contained no general or specific complaint; but being somewhat acquainted with military matters himself, having from his civil habits turned his attention to this kind of correspondence, he believed silence, respecting the conduct of the whole, or of individuals, in an action of such extent and continuance, was received by every person, in the least conversant in office-dispatches, as full, complete, and decisive a censure, as if conveyed in an affirmatory specific charge of an actual failure of duty.

He believed the annals of mankind did not furnish a similar instance. Two Admirals, and nineteen or twenty Captains, engage with an enemy for upwards of four hours, and five hundred are killed and wounded, among which are several officers of rank; and yet not a syllable is said of their general conduct, nor of any one individual who had signalized himself in the action. All he could say, if the dispatch was so worded, it was the most extraordinary instance which ever came within his knowledge or observation. Surely there was some one officer on board the fleet who performed his duty, and if any notice was taken of that officer in the dispatch, it was an act of the highest personal injustice to suppress his name. He did not wish to stretch any argument farther than it would bear, but such being his own opinion respecting the letter as a public paper, he was warranted in presuming, from the known character and experience of Sir George Rodney, that he never could, as a professional man, have written such a letter. He regarded his own character, he loved a seaman too well to commit himself in such a manner; he was therefore clearly of opinion that the letter was garbled, and such parts of it only brought forward as those who had the power and opportunity of garbling it, in order to answer their own purposes, deemed necessary to communicate to the public. On this ground he thought it incumbent on the noble Lord at the head of the Admiralty to comply with the motion on the table, and which had been so judiciously drawn up as to avoid conveying any intelligence to our enemies by which they might profit. His Lordship expressed his astonishment that the noble Earl at the head of the Admiralty could continue to persist in retaining his present official situation, contrary not only to the general wish of his fellow subjects, the general and particular interests of his country, but what was still more extraordinary, contrary to, he presumed, his own private conviction and judgment. He did not wish to look back to the noble Earl's former conduct: he declined, he said, to remind their Lordships of the noble Earl's repeated, he was

sorry to say, successful attempts to mislead and deceive that House. He should pass unnoticed the continual proofs exhibited day by day against him by a noble Earl some time deceased, one of the greatest statesmen this or any other country ever saw, he meant the late Earl of Chatham, of the noble Lord's official incapacity, and glaring impositions. He would confine himself merely to the recent proof contained in the letter read by the noble Lord who seconded the motion, as part of his speech. What did that letter say? The spirit of Sir Hugh Palliser has reached us, it has gone forth and insinuated itself throughout the whole navy; the fleet is divided: it is infected by faction. What more does it tell you? It tells you that stores are not to be had. Majorities in that House would answer only certain purposes; a time would come when the noble Earl would not perhaps have a majority in that House to follow and support him through thick and thin; and if he should, then he foresaw that a majority in that House would avail him very little.

He begged the noble Lord would give some satisfaction relative to the transactions of the 17th of April. If the official dispatches would not enable him to gratify the public, he hoped the noble Lord, both in regard of the naval service, as well as to remove the well-founded anxiety felt by those who had friends and relations in Sir George Rodney's fleet, would do every thing in his power to rescue the fleet from disgrace, and put an end to the painful apprehensions of the friends of those brave officers who were now suffering under public stigma.

Here his Lordship sat down, observing, that the noble Earl shewed an inclination to rise. He would indulge the noble Earl, and would of course reserve himself for a reply. [Lord Sandwich not rising, his Lordship rose a second time.] He presumed the noble Lord declined to enter into any vindication of his public conduct. He did not doubt but it might be a proof of his prudence. The noble Lord was conscious that it was not in his power to defend himself. If that was the case, he should take the noble Earl's silence as amounting to an acknowledgment of every charge, direct or implied, which he had urged against him; and although the noble Earl might, as usual, be enabled to put a negative upon the noble Lord's motion, by the support of a large majority of that House, that the ground and necessity of laying the copy of Sir George Rodney's letter before the House was nevertheless fully proved.

Earl of Sandwich rose with warmth. The noble Lord who spoke

spoke last had, it was true, called upon him to rise, but he was not obliged to rise at the call of that noble Lord, or any other noble Lord, unless he thought it proper himself so to do. He never meant to remain silent, yet if he should, he would have differed in the interpretation put upon such a presumed silence by the noble Lord.

The noble Lord said that the dispatch received from Sir George Rodney must have contained some account of the good or bad conduct of the officers under his command. He begged leave to assure the noble Lord that the direct contrary was the fact, nor had Sir George Rodney mentioned the name of a single officer in his public dispatch, but Captain Ferguson, whose name was inserted in the Gazette, and that gentleman was not, properly speaking, in the action, having the command only of a frigate.

The letter, he would again repeat, did not contain a single syllable relative to the behaviour of the officers in general, or of any particular officer, but what had already appeared in the Gazette; and though he had private intimation that some of the officers' conduct appeared doubtful, no proceeding of any kind was had upon the occasion, but in relation to Captain Bateman, who he understood was put in arrest, and another officer appointed to succeed him in the command of his ship.

The noble Earl made several comments on a letter produced and read by the noble Earl who seconded the motion. He should not argue upon the truth or falsehood of its contents. It was not properly before the House, and could be deemed no more than the opinion of a single individual. The writer of that letter said, that there were divisions in the navy; he was sorry for it, and must lament with every friend of his country, that such divisions unhappily prevailed; yet he could not help observing, that the letter itself betrayed a party spirit, not very favourable to the service in general.

Earl of *Shelburne* observed, that the answer given by the noble Earl was very far from amounting to a justification of publishing the Admiral's letter in the manner it appeared in the Gazette. The noble Earl had confined himself to the *public* dispatches received from Sir George Rodney, but remained totally silent in respect to any *private* dispatch. The question, therefore, for a specific answer was, whether the noble Earl had received any *private* account from Sir George Rodney, concerning the good or ill conduct of any of the officers who served under him? and whether, if he did, and concealed the contents, he was not highly blameable? Sir George might have transmitted a private as well as a public account; he might

might think it prudent to do so; but the noble Earl at the head of the Admiralty was not bound to act upon any such idea. He, if he pleased, might lay the whole, or any part of the private or public correspondence before the House, and considering the very pressing necessity for doing absent and deserving officers justice, he was of opinion that the noble Earl, as the guardian of the honour of the officers of the navy in general, and the officers who commanded ships on the 17th of April in particular, was in every respect highly blameable, if he continued to conceal what had come to his knowledge.

Earl of *Sandwich* said, though he was not obliged to betray the private correspondence of any man to gratify the curiosity of the noble Lord, he could assure his Lordship, that the same silence was observed in Sir George Rodney's private letter to him as in the public dispatch, extracts from which were inserted in Thursday se'nnight's *Gazette*. No officer was blamed; no officer was praised; and even the knowledge of the presumed misconduct, or doubtful behaviour of some of the officers, came to him through another channel, and not from the Admiral.

The question was put on the motion, for it 16, against it 42. Adjourned to the 6th.

June 6.

Lord *Stormont* observed, that the noble and learned Lord Mansfield, who had presided for some days past in the room of the Lord Chancellor, was not expected to town as that day, being then in the country. This produced a short conversation. At length the *President* of the *Council*, Earl Bathurst, was proposed as a proper person to preside on the wool-sack, which was agreed to. It was moved to adjourn to Monday the 19th instant. Agreed to.

June 19.

His Majesty came to the House, and made the following speech:

“ My Lords and Gentlemen,

“ The outrages committed by bands of desperate and abandoned men, in various parts of this metropolis, broke forth with such violence into acts of felony and treason, had so far overborne all civil authority, and threatened so directly the immediate subversion of all legal power, the destruction of all property, and the confusion of every order in the state, that I found myself obliged, by every tie of duty and affection to my people, to suppress, in every part, those rebellious insurrections, and to provide for the public safety, by the most effectual

effectual and immediate application of the force intrusted to me by Parliament.

"I have directed copies of the proclamations issued upon that occasion to be laid before you.

"Proper orders have been given for bringing the authors and abettors of these insurrections, and the perpetrators of such criminal acts, to speedy trial, and to such condign punishment as the laws of their country prescribe, and as the vindication of public justice demands.

"Though I trust it is not necessary, yet I think it right at this time, to renew to you my solemn assurances, that I have no other object but to make the laws of the realm, and the principles of our excellent constitution in church and state, the rule and measure of my conduct; and I shall ever consider it as the first duty of my station, and the chief glory of my reign, to maintain and preserve the established religion of my kingdoms, and, as far as in me lies, to secure and to perpetuate the rights and liberties of my people."

The Duke of *Dorset* rose, he said, to move an address, which, as usual, was an echo of the speech,

Lord *Dudley* seconded the motion.

The Duke of *Richmond* began with observing, that he was much pleased with the speech he heard that day from the Throne, more so than he was with any he had heard for many years. If it did not come fully up to his ideas, in every respect, it was in some particulars well entitled to his hearty approbation. The passages which he could not agree to, and which, if insisted upon by the noble Duke, and those who might support his Grace's motion, he would be obliged to divide the House upon, were the first two, where the address acknowledges that the most immediate means of redress had been adopted in order to quell the public disturbance. Secondly, where it approves in general terms of the whole tenor of his Majesty's government: he wished sincerely that those expressions were omitted or modified.

He begged to observe besides, that the laws were suspended, and though he should agree to the address, thus amended, he did expect that some one of his Majesty's Ministers would rise and give their Lordships some assurance, that the measures taken in order to suppress the riots, which were defensible only upon the ground of necessity, would be so stated, and that what was illegally done on the ground of necessity would be cured by an act of indemnity.

He said, the letter from the noble Lord at the head of the army to Colonel *Twisleton*, relative to disarming the citizens

of London, ought to be made an object of parliamentary enquiry, and he expected the noble Lord would be ready either to produce his authority for writing such a letter, or explain what he meant when he wrote it. It was founded in the law of nature for every man to arm himself in his own defence, It was the municipal, as well as the natural right of Englishmen in general, and the citizens of London in particular, He hoped, before he should agree to the address, that Ministers would give him satisfaction in another point; he meant in the continuing on foot a military government.

Lord *Amherst* acknowledged the letter to be genuine. He said, he thought it both improper and unsafe to trust arms in the hands of the people indiscriminately, or into the hands of a rabble, or a mob. His letter was only intended to prevent that, and such being his intention, he had nothing to regret upon the occasion, and was ready to abide the consequences.

The Duke of *Richmond* asked the noble Lord if the inhabitants of London, for that was the expression used in the first paragraph of the noble Lord's letter, were a mob? Or if they were not inhabitants, which was a general description, applying to men of every rank and description, did not the disapprobation expressed in that letter imply a disapprobation of the inhabitants being permitted to carry arms? But did not the second paragraph go still farther? Did it not command, or authorise, Colonel *Twisleton* to take the arms from the citizens thus armed? Was not this disarming Englishmen, and with every possible aggravation of insult and injustice, wresting out of their hands their own actual property, and the means of defending their lives and fortunes? Here his Grace, in proof of his argument, produced the letter, which was couched in the following terms, and preceded with the following title:

"Copy of a letter from Lord *Amherst* to Lieutenant Colonel *Twisleton*; a copy of which was the same day officially sent to the several *Aldermen of the City of London*."

"Sir,

"I received your letter of this date, on the subject of the inhabitants of the City being permitted to carry arms; and I cannot say more on the general subject than I mentioned in my letter to you of yesterday's date, which was a clear disapprobation of that part of the Lord Mayor's plan, which regards the arms."

The Lord President of the Council, Earl *Bathurst*, said, God forbid that any man should offer to deny or controvert the right of Protestant Englishmen to arm themselves, in defence

fence of their own houses, or those of their neighbours; he doubted much whether that right could be maintained on the broad ground laid down by his Grace. He was rather inclined to believe the contrary, for, in his opinion, there was a wide difference between marching out in martial array, and acting upon the defensive, to protect men's lives and properties; the latter was clearly justifiable, the former might lead to many dangerous consequences.

The Duke of *Richmond* said, he presumed his Lordship had never read the letter, otherwise he must have seen, that the first paragraph expressed a clear disapprobation, not of trusting the people with arms, but of the Lord Mayor's plan, which plan proposed to arm all the inhabitants or house-keepers of every ward; it was impossible for words to convey any thing more clear and explicit.

As to the legality of embodying and marching, or parading in martial array, he really did not well comprehend what the learned and noble Lord meant. He believed a state of defence included every thing necessary to render it effective; or, if it did not, it amounted in fact to no defence at all.

Earl *Talbot* (Lord Steward of the Household) said he did not consider the speech from the throne in the same light it was usually considered, the speech of the minister; he would consider it *bona fide* as the King's speech, and treat it as such; and he begged noble Lords on each side of the House, if there was a second side of the House on the present occasion, to receive it as the speech of the King, and not as the speech of the minister. He believed most sincerely that it was his Majesty's speech.

The Duke of *Richmond* rose once more, and said he was extremely happy to have an opportunity of withdrawing his objections. That he found the paper from which he had read the motion when he first spoke upon it was erroneously worded, That he had then a correct copy of the motion in his hand, by which he found, that the words *immediate relief* were applied solely to those cases in which immediate relief had been given, and that "His Majesty's *constitutional* Government" was not mentioned in the motion, which only complimented his Majesty on "HIS *constitutional* conduct." His Grace said, he had always distinguished between the personal acts of his Majesty, and those of his ministers, and he was as ready to applaud the one, as he had, on a variety of occasions,

sions, shown himself anxious to condemn and reprobate the other*.

The Duke of *Manchester* said, he could not pass over in silence one expression in the address; he meant that passage which stated generally, the acts committed by the rioters to have amounted to *Treason*.

Some particular acts of what were in themselves no more than felony, might be interpreted to amount to a levying war within the realm against the person of the King, when the offenders were totally ignorant of the crime they were committing in contemplation of law, and the punishment they might incur. Even such was the effect of *constructive* treason, that what with the ingenuity of able and willing lawyers might stretch to be an act of treason, in one point of view, considered in another, would be considered no more than as a mere trespass, or rising misdemeanour. He wished, therefore that the word treason was omitted in the address, as by standing there it would have the appearance of prejudgment, and an intention to persecute. Indeed, that passage, as it stood in the address, might be employed in effecting the worst and most cruel purposes; whereas if omitted, such omission would not preclude the crown, or its officers from setting on foot such species of prosecution, as should seem, upon future enquiry, to be applicable to the nature of the charges brought against the several offenders.

While his Grace was speaking, there were visible marks of disorder, particularly near the table, and between that and the Bishop's Bench; upon which, after calling upon ministers for an answer, he sat down, he said, in expectation of immediately receiving one. A pause ensued of more than a minute, and no noble Lord offering to rise, the Lord President observing just across the table, that the word felony, as well as reason was mentioned in the speech, and, consequently, that neither crime was defined. His Grace rose a second time, and observed that no noble Lord in administration had deigned to give him an answer.

The reason of his Grace's sudden change of sentiments was this: Before he first rose he had asked to see a copy of the motion in address, when the Lord Chancellor put into his hand a copy of the motion, as it was intended to be made, and which copy his Lordship had received two days before from a noble Viscount (Stormont.) The mistake was discovered in the course of the debate, while Lord Talbot was speaking, and his Grace perceiving that the two objectionable passages had been struck out, in the address moved by the noble Duke, acquiesced, and remained contented that the motion should be unanimously agreed to.

Earl

Earl *Mansfield* for some time argued, that the cause and proceedings of the late riots were formed upon a systematic plan to destroy the constitution, and overturn the government; after which his Lordship went on:

My Lords, I found it the more necessary to dwell upon these particulars, because the transactions I have recounted, relate as well to the danger this metropolis was in of being totally destroyed, as to the facts which lead to the observations I am now going to trouble you with, in point of law and obvious construction.

It has been taken for granted, my Lords, and I wish sincerely the task had fallen upon some other noble Lord, that his Majesty, in the orders he gave, respecting the riots, acted merely upon his prerogative, as being entrusted with the protection and preservation of the state, in cases arising from necessity, and not provided for in the ordinary contemplation and execution of law. This, I take it, is a point, that ought to be fully explained. I take the case to be exactly the reverse, and that his Majesty, with the advice of his ministers, acted perfectly and strictly agreeable to law, and the principles of the constitution; and I will give you my reasons within as short a compass as possible. I have not consulted books; "*Indeed I have no books to consult.*" but as well as my memory serves me, let us see my Lords, how the facts and the law stand, and reflect a light upon each other.

The noble Duke who spoke last (Manchester) observes, that constructive treason is a dangerous thing; but constructive treason is here totally out of the question. The crime, as applied to the fact, is palpable and direct; pulling down all inclosures, demolishing all brothels or bawdy houses, or chapels, making insurrections in order to redress grievances, real or pretended, is levying war within the realm, and against the King, though they have no design against his person, because they invade his prerogative by attempting to do that by private authority, which he by his office is bound to do; to lower the price of victuals contrary to law; to reform the law or religion of the state, &c. these, with all their several species, are deemed levying war within the realm, and of course against the King, because they all tend to usurp upon the power of the King, who is the acting representative of the whole Legislature.

Besides those overt acts of treason now recounted, the most or all of which the insurgents were guilty of, they were guilty of several acts of felony, such as burning private property and demolishing

demolishing private houses, and committing several acts of robbery and open violence.

Here then, my Lords, we will find the true ground upon which his Majesty, by the advice of his ministers, I presume, proceeded. I do not pretend to speak from any previous knowledge or communication, for I never heard, was present, or consulted upon the measures adopted by his Majesty's confidential servants; but it appears most clearly to me, that not only every man may legally interfere to suppress a riot, much more prevent acts of felony, treason, and rebellion, in his private capacity, but he is bound to do it as an act of duty; and if called upon by a magistrate is punishable in case of refusal. What any single individual may lawfully do, so may any number assembled, for a lawful purpose, which the suppression of riots, tumults, and insurrections certainly are. It would be needless to endeavour to prove, that what a private man may undertake to perform may be performed by a magistrate, who is specially authorised by law for the purpose of keeping the peace. It is the peculiar business of all constables to apprehend rioters, and to endeavour to disperse all unlawful assemblies; to apprehend the persons so offending, and in case of resistance, to attack, wound, nay kill those who shall continue to resist. The very act of apprehending in arms the person, with every necessary power for the effectual performance of the duty prescribed by the law, and consequently every person acting in support of the law, is justifiable respecting such acts as may arise in consequence of a faithful and proper discharge of the duties annexed to his office, if he does not abuse the power legally vested in him, which may in that case, according to the circumstances accompanying the transaction, degenerate into an illegal act, though professedly committed under the colour or pretext of law. These several positions I take to be incontrovertible. A private man, if he sees a person committing an unlawful act, more particularly an act amounting to a violent breach of the peace, felony, or treason, may apprehend the offender, and in his attempt to apprehend him may use force to compel him, not to submit to him, but to the law. What a private man may do, a magistrate or peace officer may clearly undertake; and according to the necessity of the case, arising from the danger to be apprehended, any number of men assembled or called together for the purpose are justified to perform. This doctrine I take to be clear and indisputable, with all the possible consequences which can flow from it, and to be the true foundation for calling in of the military power to assist in quelling the late riots.

The

The persons who assisted in the suppression of those riots and tumults, in contemplation of law, are to be considered as mere private individuals, acting according to law, and upon any abuse of the legal power with which they were invested, are amenable to the laws of their country. For instance, supposing a soldier, or any other military person, who acted in the course of the late riots, had exceeded the powers with which he was invested, I have not a single doubt but he is liable to be tried and punished, not by martial law, but by the common and statute law of the realm; consequently the false idea that we are living under a military government, or that the military have any more power, or other power, since the commencement of the riots, is the point which I rose to refute, and on that ground to remove those idle and ill-founded apprehensions, that any part of the laws or the constitution are either suspended or have been dispensed with.

I believe this great mistake has chiefly arisen from the general understanding of the 1st of Geo. the First, a law specially enacted for preventing riots in the first instance, and by consequences, for preventing in the end felonious or treasonable insurrections. By that law it is provided, that if twelve persons or more, being unlawfully, riotously, and tumultuously assembled, to the public disturbance of the peace, and being required to disperse by any Justice of the Peace, Sheriff, Mayor, Bailiff, &c. and within one hour after proclamation made to them to disperse, continue assembled, that all persons so refusing to disperse, &c. shall be deemed felons without benefit of clergy. The act of felony, namely, the refusal to disperse within one hour after proclamation made, constitutes the felony, which, as soon as constituted, puts the offenders in the situation of all other felons, namely, to be apprehended by every possible means, and if taken and convicted, to suffer in common with other felons the pains of death.

[After putting this matter in several points of view, his Lordship proceeded.] My Lords, I have several strong reasons to incline me to believe, that the late riots originated from motives very different from those which have been avowed. They pointed their resentments towards several objects, which I do not think they looked upon to be just objects of their resentments, and against me among the rest. I can say, in the presence of all your Lordships, that when the bill came up from the other House, and afterwards in all its successive stages through this House, that I never opened my lips on the occasion, nor, as well as I can at this distance of time charge my memory, do I recollect that I was once present during its

passage

passage through this House. My principles of not wishing to disturb any man merely for conscience sake are pretty well known; and many of those who are supposed to have formed the late mobs are not ignorant of my general tolerating principles, when tolerating sectaries does not portend any mischief to the state. I have held these opinions respecting Dissenters from the established Church of all denominations; and the sect in particular who are usually called methodists well know, that when attempts were repeatedly made to disturb them in the enjoyment of their religious worship, I have always discouraged it, and condemned any attempt of the kind, as unworthy of the Protestant religion, the purity of whose doctrines, and not persecution, should be the only incentive to bring proselytes into her bosom. I was of the same opinion respecting the Roman Catholics; and though, as I observed before, I had no hand, directly or indirectly, in the law which has furnished a pretext for the late dangerous insurrections, I shall ever be of opinion, that they, in common with the rest of his Majesty's subjects, should be allowed every possible indulgence consistent with the safety of the state.

On the whole, my Lords, while I deprecate and sincerely lament the cause which rendered it indispensably necessary to call out the military to assist in the suppression of the late disturbances, I am clearly of opinion, that no steps have been taken which were not strictly legal, as well as fully justifiable in point of policy. Certainly the civil power, whether through native imbecility, through neglect, or the very formidable force they would have been obliged to contend with, were unequal to the task of suppressing the riots, and putting an end to the insurrection. The rabble had augmented their numbers by setting the felons at liberty. If the military had not been called in, none of your Lordships can hesitate to agree with me, that within a very few hours the capital would have been in flames, and shortly reduced to a heap of rubbish. The King's prerogative is clearly out of the question. His Majesty, and those who have advised him, have acted strictly conformable to law. The military have been called in, and very wisely called in, not as soldiers but as citizens: no matter whether their coats be red or brown, they have been called in aid of the laws, not to subvert them, or overturn the constitution, but to preserve both.

The question was put from the Woolsack, as usual, and agreed to *nemine dissente*.

A committee was instantly named, who withdrew for a few minutes, and then returned with an address, and the same
being

being read, paragraph by paragraph, by the clerk at the table, it was unanimously approved of, and ordered to be presented the next day by the Lords with white staves.

As soon as this business was disposed of, the President of the Council, Earl *Bathurst*, rose, and observed, that in the progress of the late riots and disturbances, several gaols had been broke open, on which account, Sheriffs, gaolers, &c. were liable to great inconveniences in the ordinary operation of law. The persons who were thus become liable to heavy fines and grievous punishments, through no fault of theirs, were, in his opinion, become proper objects of Parliamentary care and protection; to effect which, he should move for leave to bring in a bill, for indemnifying them against all prosecutions, which, by law, they were now liable to, at the suit of the Crown, or of private persons. His Lordship accordingly moved,

“ That the Judges be directed to prepare a bill to prevent any mischief or inconvenience that may arise to Sheriffs, gaolers, suitors, prisoners, and others, by the prisoners in the several gaols of the counties of Middlesex and Surrey, the city of London, and other places, having been set at liberty during the late tumults and insurrections.” Agreed to.

June 21.

The Duke of *Grafton* said, he had observed from the votes of the other House, that a bill had been brought in there for repealing the late act respecting the Roman Catholics. His Grace thought the Right Reverend Bench ought to be consulted in the matter; and he submitted to their Lordships, whether it would not be more proper that the Bishops should take the law into consideration, and that the modification of it should originate in that House.

The Bishop of *Peterborough*. If I interrupt your Lordships' attention from what is more worthy of it, it is only with your permission to unburthen my mind, by saying a few words on a subject which I confess hangs heavy upon it, and my apology for doing it now is, that my other avocations of duty may probably prevent my attendance on the intended bill in its progress through this House. I take it to be an indisputable maxim, founded on experience, that so long as prejudices and passions form a part of human nature, there is no preserving any government whatever in peace and security without attending to them. I take it also to be the principle of this, and every free state so to lead and direct the inclinations of the people, as to conciliate their confidence and affections, rather than by violently contradicting their general character to force an unwilling obedience to authority. In making new laws therefore, or abro-

gating

gating those which have the sanction of antiquity and popular opinion, it is not sufficient, that we be satisfied of the reasonableness, the justice and humanity of the measure, nor of the principles and intentions of those who propose it. Policy and prudence require, in the legislature, an attention, not only to what the measure is in itself, abstractedly considered, but in the full extent of its relations and effects.

It was in this view of things, that I presumed, on the second reading of the bill for the relief of Roman Catholics, to submit to your Lordships' consideration, the propriety there was in giving it a serious and mature deliberation; I was satisfied, that the principle of the bill was consistent with reason, justice, and Christian benevolence; and I was convinced that the honourable member who introduced the bill into the other House, and the noble Lord who supported it in this, were men deservedly of the first estimation for integrity in private life; and in their public conduct, I confess to look up to them with respect and reverence, as zealous advocates for the civil and religious rights of the Constitution. But, my Lords, I was apprehensive the bill was of a nature, as that, if not guarded with the utmost caution, might be misconceived and misrepresented, and thereby afford too much occasion for alarm and offence. The times too appeared to me peculiarly unfavourable for such an experiment, because engaged as we were in our fatal contest with America, and a rupture with Spain as well as France, in my opinion inevitable, I thought that nothing but the phrenzy of religious zeal was wanting to fill up the measure of our national calamities.

Finding, however, that what I had to offer for the delay of the bill, did not seem to meet the sense of the House, and that the bill was to pass immediately, I conceived that the less which was said, capable of giving alarm, the better. I did not then particularize an objection or two, which, with your Lordships' permission, I will mention at present, in hopes, that if they deserve any attention, they may be provided against in the bill, which I understand is to be brought in on the occasion.

The bill appeared to me materially defective, in that, while it gave relief from the most rigorous restraint upon the exercise of the Roman Catholic religion, it did not make exceptions, or provide any means for preventing persons professing Popery from making proselytes, or admitting the children of Protestants into their schools and boarding houses. I am aware it may be said, there are laws in force against the exercise of, or teaching the Roman Catholic religion at all; but if any relief was intended by the bill, it surely did not mean to deprive parents of that natural

tural right, which, of all others, must be most dear to them, the right of educating their own children in the faith which they think most conducive to their eternal happiness. No man can look on that part of the laws with more horror than myself, and in comparison of it, I think it mercy to forbid any Roman Catholic residing in the kingdom. The late bill must have intended the contrary. I may be told, however, that it neither justifies nor countenances making converts; but it does not forbid it, and I beg to be understood, that my objections and difficulties do not arise from the express sense of the bill, but from the interpretations which may be put upon it; and give me leave to say, that it is a very prevailing opinion. I will not take upon me to say how true, that there are of the Romish persuasion, who think it a merit, and may make a practice to gain converts by arguments, which are almost irresistible when opposed to necessity, promises, gifts, and rewards. At a time then, when a liberal indulgence was given to conscience, it surely would have been prudent in the legislature, and could by no means have been thought hard or unjust to have prevented the abuse of it, by a transgression, which, if it does exist, is an invasion on the established religion of the country.

In speaking to another point, I hope to be understood, that I am myself persuaded there is no ground in any part of the bill for supposing that offices of trust or power, civil or military, are intended hereafter to be committed to Roman Catholics; but I have heard many sober-minded men express very serious apprehensions, lest the relief granted by this bill might, on some future urgency of state necessity, be a prelude or foundation for further instances of confidence. I could have wished, therefore, that the sense of the legislature on that article also, had been directly or indirectly expressed, either in the bill, or by some resolution, so as to prevent such jealousies and suspicions. One circumstance of objection, indeed, I did specify before, and here I confess, my Lords, I am not satisfied with any thing I have heard on the subject. By the law, as it now stands, Roman Catholics may purchase and settle estates as freely as Protestants; they may, therefore, on a marriage settlement, limit an inheritance in favour of a second or younger son, in exclusion of the elder, if he renounced the faith of the family. Now, though I do not approve of the law which tempted a younger brother to supplant his elder, by professing himself a Protestant; yet, I think it very hard, that an heir at law should suffer in his fortune, merely because he may conform to the established religion of his country. I am told, *that such a limitation would not be deemed good in law.* I

suppose it may be so; but I fear the right heir so deprived, should the next in remainder get the possession, has no remedy but by a law-suit, which might be tedious, and expensive at least, if not precarious. These, my Lords, are the principal points in which the bill has appeared to me, from the first, unguarded and defective. I do not mean to propose a repeal, nor wish to have it proposed, for no man is more a friend to toleration than myself; but I must not forget that I am an English Bishop, and bound to attend to the security of the established religion. My objections are submitted to your Lordships, in hope, that if they appear deserving attention, some mode may be adopted, in the bill now in agitation, for to render the last less exceptionable than it appears to be. I particularly address myself to those who are most strenuous in its favour, that they may not leave the Roman Catholics, at last, in a worse state than they found them.

The Bishop of *Llandaff* professed himself warmly in favour of toleration.

The Bishop of *Rocheſter* said a few words in favour of the Roman Catholic bill. After which the subject dropped.

The order of the day was now called for, and on the Duke of Richmond's motion, the letters of Lord Amherst to Colonel Twisleton, the plan of an association by the Lord Mayor, and the declaration of rights in the 2d of William and Mary were read.

The Duke of *Richmond* said, that the command, contained in the letter of the 13th, was contrary to the positive privilege of the subjects of this empire, as declared in the Bill of Rights, which had been read. He was not to consider, at that time, how proper or how improper the measures were, that the Ministry had taken in exerting the force of the military to quell the riots, without the intervention of the civil magistrates. It might be proper, because the occasion might make it necessary.

He was to consider, that by such measure, the noble Lord, who, by being at the head of the staff, is the commanding officer, was invested with a power over the lives and properties of the inhabitants of this metropolis.

The civil was subservient to the military power, and the military power was in his hands. The occasion was perilous, and he would allow much for the inaccuracies which are natural in the multiplicity and confusion of business; and if the noble Lord resorted to that excuse he would be instantly silenced. With these powers, and at this crisis, he wrote to the officer commanding the military station in the city, and gave him orders to take arms from the hands of all men who were not of the militia, or authorised by the King. The letter which had been

been produced in explanation of this, confirmed instead of contradicting it; for it said, "that he could not add any thing to what he had said in his former letter."

These letters, he said, were deposited in the public archives, and they would descend to posterity a most alarming precedent of a most violent and unwarrantable infringement of the constitution, if no resolution of censure and disapprobation was entered on the records of Parliament. He had nothing to do with the noble Lord's intention; his intention might be perfectly innocent, nay, it might be laudable. But the letter of the order was dangerous; future advantage might be taken of it to the destruction of our freedom, and therefore it was that he anxiously wished their Lordships to come to a resolution on the subject.

He therefore moved, "That the letter of Jeffery Lord Amherst to Colonel Twisleton, dated the 13th of June, was an unwarrantable command to deprive the Protestant subjects of this empire of their legal property; was expressly contrary to the fundamental principle of the constitution, and a violation of the privilege declared in the Bill of Rights, that every Protestant subject of this empire shall be permitted to carry arms in his own defence."

The Earl of *Carlisle* opposed the motion. He enumerated the outrages that had been committed by the mob, and said, that now when he looked back upon the dreadful scene which was past, he looked upon the whole as a vision. Like a man roused from a fearful dream, he doubted whether he had been awake. In such a situation he said that allowance ought to be given for a letter written by the officer entrusted with the command, who might not be supposed to have studied so much the art of forming a letter, as of arranging an army. But the noble Lord would not thank him for such a defence. The best argument was the necessity and propriety of the measure. Both these strongly justified it.

The Duke of *Grafton* supplicated their Lordships not to permit such a letter to descend as a record and precedent to posterity, without some mark of their disapprobation; a direct negative to the motion would be impolitic to the last degree. They ought at least to take some gentle method of getting rid of the proposition, and of leaving on their journals something that would give an antidote to the poison.

Lord Viscount *Stormont* said a few words in justification of the direct negative that he would put on the motion. All acts he said were to be justified by the occasion. He would not enumerate the outrages which had been committed. They were plainly the effect of a settled, determined, and deep laid plan, which

which meditated the destruction of the metropolis. He could not agree with the noble Lord in the green ribbon, that they appeared like the shadows of a dream. He wished they were really so. He wished that they had passed "like the baseless fabric of a vision," and had not left a wreck behind. But there was a wreck that would fix a stain upon the national character. In the wild uproar and confusion of this scene, Lord Amherst had given this order. And it was clearly intended to go no further than to disarm suspicious persons, who, at this time, were parading the streets with rusty armour, and who might belong to the rioters. That this was the clear intention of the order was evident from the acceptance of Colonel Twisleton. He had conceived it exactly in that way, and had obeyed in that way.

The Earl of *Ravenworth* blamed Administration for their unaccountable negligence and remissness. After seeing Lord George Gordon's advertisement on Monday, it was astonishing that they could have neglected to take any step for the prevention of disturbance. They had not met upon it till Friday. He had, from a natural curiosity, which he inherited, and which often led him to make morning walks, and look into the world, attended the meeting in St. George's Fields, and followed them foot for foot; they appeared sober and serious, and a hundred men would have dispersed them. He traced them through their several routes, from day to day, till the Thursday following, which he considered as the day of their dissolution; and in all their ravages he could not conceive that there was any plan. It appeared to him, that they proceeded from outrage to outrage by the remissness of Government. There appeared no frenzy of religion, but a mere thirst of pillage. It was government that seemed to have the frenzy. It was this frenzy that encouraged the depredations. But Thursday was the dissolution, and this letter was not written till the Monday following. There could be no weight therefore in the argument, that it was written in a state of hurry and confusion; it was written when the danger was over: it was therefore to be presumed that it was the effect of deliberation.

Was it, he asked, a cabinet letter, or merely Lord Amherst's? (Lord Amherst answered, that it was *his own* letter): It was, however, to be considered as a measure taken upon due consideration; and it was of so serious and alarming a nature, that he hoped in some shape or another it would be censured by Parliament.

Viscount *Townshend* justified Lord Amherst very ably. He said it was not to be conceived, that in the situation in which the noble Lord was engaged, he could pay nice attention to his expressions;

pressions; or that a man educated in the field should be acquainted with all the privileges in the Bill of Rights. He said, that he hoped the wreck of the late disturbances would not vanish like the baseless fabric of a vision. He hoped that it would leave such an impression on their Lordships, as would induce them to devise a plan for the strengthening the police of this country and for superseding the necessity of calling in the assistance of the military when the civil power was insufficient. He said that ours was the most wretched and incompetent system of police of any country in Europe. Some time ago he had suggested a plan which had been secreted and ridiculed as the wildest reverie of political madness. It had since, however, been proved to be the best defence of this city. The plan was a well regulated militia. He begged that their Lordships would attend to this, and make it the subject of a future discussion.

The Duke of *Richmond* agreed with Lord Ravensworth, that much, if not all, of the disturbance and calamity was owing to the remissness of Ministers. Their conduct, in every instance, had been blameable. A Russian had been taken in the Sardinian chapel active in felony—he had been fully committed, but had been set at liberty by an order from a secretary of state, to pay a very improper compliment to the Russian Court. Notice was given of the design upon the Fleet twenty-four hours before the time—the prisoners had had leisure to remove all their goods and furniture, and yet no step was taken to prevent the conflagration.

He had heard it said, and if so, it was a shameful conduct, that Ministers had retained all the principal and eminent counsel in Westminster-hall, against the unfortunate Lord George Gordon. He hoped for the dignity of justice that this was not true, and if it was, that Government would be ashamed of it upon reflection, and correct their error.

He now adverted to the doctrine published by Lord Mansfield on a former day. That when acts of felony were committing or committed, all men, soldiers as well as common subjects, were justified in proceeding to force, without waiting for the intervention of a civil magistrate. He said, he very much approved of the doctrine in part; but it was liable to an objection which he wished to have cleared up; there was no occasion for the military to wait for the orders of the civil power. Did then the common-law of the land justify the military for interfering, or was it an extraordinary exertion, which the necessity of the case only could justify, and which demanded an act of indemnity? No distinction was said to be made between the soldier and the ordinary man; they were both

both to make use of their discretion, and to go to the extremities of force if they saw occasion. Now, when he considered how different the power of the soldier and the ordinary man was; how different their situation, he could not help thinking that this was as completely a military country as any in Europe, and that the civil power was not sufficient to reign in and contract the military.

The King could order them to use their force without waiting for the civil magistrate, and this was in the due course of common law; it was justified by the occasion, and required no subsequent indemnity. He begged their Lordships to attend to the discussion of this point.

The Lord *Chancellor* rose, and gave a similar explanation of the point of law to that which Lord Mansfield had given, and said it was impossible for him, after consulting all the books, and collecting all the points, to give a more ample, and at the same time a more precise definition of the law than the learned Lord's. He said, that no distinction was made in the law between the acts of a soldier and the acts of another man. The law knew nothing of a standing army. It admitted of no justification on account of orders received from commanding officers, but every man was to be tried and justified by the merit of the act itself. Nothing, therefore, could be clearer, than that there was no martial law existing in this country, where every military man was liable to be tried, condemned, and punished for his conduct by the law of the land. If he was to be tried only by a court martial, it would be very different, but surely the law of the land was predominant, when all ranks were obnoxious to it.

He now went to the question, and considered it in two points of view; 1st, Whether the charge was true? And secondly, whether, if true, it was proper? On the first of these, to prove that it was not true, he read several letters from Col. Twisleton to Lord Amherst, telling him that suspicious persons were seen going about with firelocks, and desiring to know whether he should take and detain them? To these letters it was, that the letter complained of was written; and this shewed that he did not intend to deprive the respectable inhabitants from carrying arms. This proved the charge, he said, to be unjust. He then argued from the circumstances of the occasion, that if just, it ought not to be made, because imprudent.

The Duke of *Richmond* answered. He said the manner of his arguing the case gave a strong suspicion of the weakness of the cause, for if the charge was not true in the first instance, there required no further labour to prove that it was improper. It reminded him of a man who, arguing on a matter, said he had nineteen reasons against it.

The first was, it was impossible:—if this was true, there was surely no occasion for the other eighteen. But the more important question being the point of law, we proceed to that. He was by no means satisfied. The learned Lord had said a great deal, but he had not answered the plain question. Was the interference of the military, without the civil magistrate, to be considered as a matter justifiable by the common law of the land, or was it an extrajudicial proceeding to be justified by an act of indemnity. He declared, if it was the law of the land, that the discretion of the military was to be their rule of conduct, this was a military country in every sense of the word. He had long thought it was time for him to leave that House; but if this was the law, he declared he would never enter it again.

The Earl of *Mansfield* now rose, and said he should be happy if it was referred to the judges, and that Parliament came to a decision on the subject. He said, that when a felony was committing, or committed, and no justice or constable present, men were undoubtedly to exert themselves, and if they could not apprehend, they were justifiable in putting the perpetrators to death. This justification, however, depended on the circumstances of the case.

A good deal of debate arose on this between the Duke and his Lordship. The Duke still maintaining the ground, that unless a distinction was made between the military with arms in their hands, and the common subjects of the empire, there was an end of legal security and freedom.

Lord *Mansfield* said, that such orders as are now in force could not be given by the Crown, but in cases of levying war and rebellion, which the late outrages were; and the reasons would be assigned in the proclamation, as they were in this instance. Still this was nothing to the question, the Duke replied; it was of the most alarming nature, and he prayed that the most speedy application might be made to the judges, and that Parliament might come to a decision on the point; our all depended upon it.

The question was negatived without a division.

Lord *Amherst* said, he had been much assisted by a noble Marquis (*Lothian*); a noble Lord, a volunteer; and indeed by all the officers and men, in the late disturbances; and they merited, in his opinion, the thanks of the House.

June 23.

The Duke of *Richmond* observed, that a circumstance had been reported relative to a Russian officer, who had been found and apprehended in the chapel of the Sardinian Ambassador, in *Lincoln's-inn-fields*, on Friday night the 2d instant, among the rioters, in the act of demolishing the chapel. The circumstances

cumstances relative to that transaction were, that the person thus apprehended in the execution of this very criminal act, was given legally in charge, after having been examined before a magistrate; notwithstanding which, the criminal was discharged, by an order from the Secretary of State, contrary to the due course of law.

Lord *Loughborough* rose for the *first* time, and begged leave to set the noble Duke right. The Russian officer, he could say, was never committed, nor regularly in custody. He was partly a witness to the whole transaction, and would inform their Lordships what came to his knowledge concerning the subject.

The Russian officer was found among the mob in the chapel, nor was he apprehended in the presence of any of the officers who were named in the noble Duke's motion. Mr. Mahon could give no evidence, for this reason, that he publicly declared in print that he never offered to prosecute any of the rioters, nor had it in his power. The truth was, that the Russian officer appeared to have behaved in a very unbecoming manner, was seen exciting the rabble to commit mischief. For this offence, and being found in the chapel, he was apprehended, and brought into the Ambassador's house. When there, he was questioned as to his business; who he was; and to whom he was known? He replied, that he was an officer, and was acquainted with several of the foreign ministers. Being asked by whom, he replied with Mons. Legeneau, the Genoese Resident. That gentleman being in the house, was asked whether he knew the prisoner? The Resident said he had no knowledge whatever of him. Asked, if he knew any other person of rank or character? Said he did, Mons. Cordón, the Ambassador in whose house he then was. The Ambassador was accordingly called down stairs, but disclaimed any knowledge of him. This afforded great room for suspicion, and though he could not be detained, as there was *no* charge against him, but from the suspicious circumstances now related, it was thought proper to put him under the care of a corporal. One of the officers, however, said, he would take charge of him himself. On the next day, when the Russian Ambassador applied to the Secretary of State for his discharge, as knowing him to be a man of honour and character, he was set at liberty. This was a true state of the case. He was never committed.

The Duke of *Richmond* expressed his astonishment at the law laid down by the last speaker. Here was a man apprehended assisting in a riot, attended with circumstances of capital felony. The learned Lord says himself, that he behaved in a very unbecoming manner; nay more, that he was exciting the rioters. He tells you further, that he claimed the acquaintance of two persons

persons under the same roof, who positively disclaimed any knowledge of him; and still by a most extraordinary law conclusion, he says, that he could not be legally held, because he was not legally and regularly committed; a most novel species of law logic indeed! It is plain, that this Russian gentleman stood precisely in the same predicament with every other rioter who was apprehended that evening. Nay, the learned Lord has told you so himself. If, therefore, a secretary of state could discharge any one of the rioters, he might have done so with all the rest, and by consequence take upon himself to suspend the laws.

Lord *Stormont* said, the Russian minister had made an application to him relative to the detention of the Russian officer, whom he represented as having been detained merely from his being found in a mob, whither he had been led by an idle curiosity; and as to his being apprehended in the chapel, it arose from accident, as had been stated by the noble Lord near him [*Loughborough*], for he was forced by the crowd into it entirely against his will. As soon as the application was made to him, he instantly gave directions to his Under Secretary to write to the commanding officer to release the prisoner. He looked upon himself as responsible as if he had wrote and signed the order for releasing the prisoner himself, as it was written by his direction. If the officer had been regularly committed, or charged, he should not have interfered; but this was all he knew of the matter, and he looked upon himself fully justified in what he had done.

The Duke of *Richmond* contended, that it was something more than a mere idle curiosity, or having been forced by the current of a mob, that led the Russian officer into the place where he was apprehended. This he could prove, but did not mean to argue, or draw conclusions from facts which were not properly before their Lordships; he would solely confine himself to what passed before the magistrate, and till the time of the prisoner's release.

It was with much reluctance that he ever referred to what passed in private conversation; but on the present occasion he found himself obliged to depart from a rule, which, in most cases, ought ever to be strictly adhered to. As he passed through Westminster-hall, in his way to the House, he met Mr. Gilbert, the magistrate before whom the Russian was charged, who related to him all the circumstances which he had mentioned in the course of the debate. [At this instant ten or eleven Lords came in a body into the House.] Upon this authority he was ready to contend, that the offender was taken in the fact; that there

there were witnesses ready to prove it on him at the time; and that he was given in charge to the military in common with the rest of the rioters, in order to undergo a regular examination the next day; but previous to that examination, the offender obtained his liberty in the manner related by the noble Viscount in the green ribbon (Stormont). What does that noble Lord say, or has the confidence to tell you? That upon an application from the Russian Minister, without enquiring into any one circumstance whatever, having been certified of the nature of the offence charged upon him, without learning what ground of justification he set up to prove himself innocent, without applying to the officer in whose charge or custody he was entrusted, or the civil magistrate before whom he was charged: in short, without enquiring what was his crime, whether high treason, felony, or a simple breach of the peace; the noble Viscount informs you, with all possible unembarrassment, that hearing a representation from the offender himself, of *his own* innocence, for the representation of the Russian Minister had no other ground but what the offender pleased to instruct him, his Lordship sets this man at liberty. His Grace moved, that Major-general Williams, commanding a detachment of the Guards, at the Sardinian Ambassador's house in Lincoln's-inn-fields, be ordered to attend at the Bar on Monday next. But upon the question being put, it was carried in the negative. Adjourned to the 30th.

June 30.

The Thread Bone Lace Bill was put off for three months. Adjourned to July 3.

July 3.

Previous to the reading of the order of the day, for the commitment of the Bill respecting Roman Catholics, the *Archbishop of Canterbury* rose up, and in a short speech, made professions of the warmest attachment to the generous principles of toleration, so long as such toleration did not threaten to effect or endanger the civil and religious establishment of the state; giving it as his sincere opinion, that the doctrines of the Church of England contained the most unbounded documents and unquestionable proofs in favour of the species of indulgence here described. The leading feature of the Christian doctrine was charity: it was indeed the great key or corner-stone of the whole structure: it was humanity itself, refined or illuminated by the superior light of revelation; consequently, *true* Christianity exploded and abhorred the idea of compelling any man, by pains and penalties, to worship God, but in his own way.

Earl Ferrers spoke next, and after a very few preliminary observations,

observations, introduced the following motion to the House: "That an humble petition be presented to his Majesty, requesting him that he will be graciously pleased to give directions to the Reverend Bench of Bishops, that they do every one give orders to the several clergyman within their distinct parochial jurisdictions, to make an exact enumeration of the Roman Catholics within their districts, and that the same be laid before the House the first day of the next session."

The Bishop of *Durham* said he had already, in part, made an enquiry similar to that just now wished for by the noble Lord. When this description of men were enumerated about a century ago, by an eminent divine, Dr. Gastrell, the total amount at that time was 68,000. The amount of those residing only in the particular county of Chester, which is more peculiarly distinguished for Roman Catholic inhabitants than any other that was at that time, 37,000. In the year 1667, a second calculation had been made in that county, and the amount was 25,000. Another calculation had been recently made in the same district, and it was found that there were no more than 16,000 at most. The inference, from a comparison of these various computations in this particular district, was clearly this,—that a general diminution had taken place throughout the kingdom; and that the number of Roman Catholics, upon the whole, was nearly lessened one half within the space alluded to.

The Reverend Bench having no objection to the motion proposed by the noble Earl, it was agreed to unanimously.

The order of the day being now read, the House resolved itself into a Committee, Lord *Oxford* in the chair, for taking into consideration the various clauses in the Bill for preventing Roman Catholics from teaching Protestant children, &c. under certain penalties, as contained in the bill.

Several of the preliminary clauses having been read and acceded to, without opposition or alteration,

The Bishop of *Winchester* rose to object to the terms of the following, "and that they be prohibited from the teaching of the government of, &c. &c." The learned Prelate moved, that instead of the word government the term *tuition* should be inserted, as being the term usually received, and used in the last bill respecting Roman Catholics.

Lord *Chancellor* moved an amendment to this effect, That Roman Catholics be permitted to teach any thing in any manner they think proper, only that they be not suffered to keep boarding-schools, or any such seminary as may give them the exclusive government of the children under their direction.

The

The Bishop of *Durham* opposed this amendment. In one part of it he being much against Roman Catholics being permitted to teach day-schools.—A motion was made at the suggestion of the above Reverend Prelate, for deferring the further consideration of the bill before the House. The Marquis of Rockingham and the Lord Chancellor objected to this, and the motion was accordingly withdrawn.

After some farther alteration, and on its being represented that there were still other penalties in existence against Roman Catholics for their attempting to keep day-schools, the Bishop of *Durham* withdrew his objections, and the Lord Chancellor's amendment was agreed to unanimously.

July 4.

The order of the day was read for receiving the report of the amendments made in the bill for securing the Protestant religion.

As soon as the first amendment was read, the Archbishop of *Canterbury* rose, and after making a full declaration of his tolerant principles, said, that after having fully consulted the rest of his brethren, though he was for passing the bill as received from the Commons, he was sorry to say it, but he felt it as part of his duty to acquaint their Lordships, that he must disagree with the amendments as they then stood.

The Bishop of *St. David's* followed the Archbishop of *Canterbury* in the same line.

The bishop of *Ely* said, he wished the bill was put off for the present.

The Marquis of *Rockingham* said he approved of the bill as now amended.

The question was put on the amendments, contents 14; not contents 10.

As soon as the bill was reported, the Lord President rose, by way of getting rid of the bill, to put off the third reading till that day week; the House divided a second time. Contents 19, not contents 27, proxies included. The bill was consequently lost. The House adjourned till the next day. No public business till Saturday.

July 8.

His Majesty this day came to the House at ten minutes past three o'clock (an unusual late hour), and being on the Throne made the following speech:

"My Lords and Gentlemen,

"It gives me great satisfaction to find myself able to terminate this long session of Parliament, that you may be at liberty to return to your several countries, and attend to your private affairs, after so laborious a discharge of your duty in the public service;

service; and I take this occasion to express my sincere acknowledgment for the fresh proofs you have given me of your affectionate zeal for the support of my government, and of your just estimation of the real and permanent interests of your country.

"Your magnanimity and perseverance in the prosecution of this just and necessary war have enabled me to make such exertions as will, I trust, by the assistance of Divine Providence, disappoint the violent and unjust designs of my enemies, and bring them to listen to equitable and honourable terms of peace.

"These exertions have already been attended with success by sea and land; and the late important and prosperous turn of affairs in North America affords the fairest prospect of the returning loyalty and affection of my subjects in the Colonies, and of their happy re-union with their parent-country.

"Gentlemen of the House of Commons,

"I feel myself under particular obligations to thank you for the large and ample supplies you have so cheerfully granted, and for the confidence you repose in me. No attention shall be wanting on my part to render them effectual, and to see them faithfully applied.

"My Lords and Gentlemen,

"Let me earnestly recommend to you to assist me by your influence and authority in your several counties, as you have by your unanimous support in Parliament, in guarding the peace of the kingdom from future disturbances, and watching over the preservation of the public safety. Make my people sensible of the happiness they enjoy, and the distinguished advantages they derive from our excellent constitution in church and state. Warn them of the hazard of innovation.—Point out to them the fatal consequences of such commotions as have lately been excited; and let it be your care to impress on their minds this important truth: That rebellious insurrections to resist, or to reform the laws, must end either in the destruction of the persons who make the attempt, or in the subversion of our free and happy constitution.

Parliament was prorogued to the 24th of August, and dissolved on the 1st of September.